

# NAVAL POSTGRADUATE SCHOOL

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## THESIS

**THE EFFECTS OF NATO ENLARGEMENT ON BUDAPEST'S  
POLICIES REGARDING ETHNIC HUNGARIAN MINORITIES**

by

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June 1999

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REGARDING ETHNIC HUNGARIAN MINORITIES**

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requirements for the degree of

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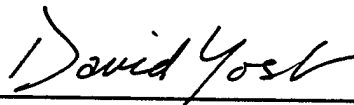
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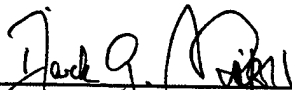


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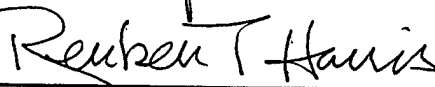
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## **ABSTRACT**

This thesis analyses the effects of NATO enlargement on Hungary's policies concerning the ethnic Hungarian minorities in Slovakia and Romania. It argues that the first post-Cold War round of NATO enlargement had a positive effect in Central Europe by exporting stability instead of importing instability into the Euro-Atlantic region.

The NATO enlargement process was based on criteria which had to be fulfilled by the candidates. The inclusion of the frontrunner states – the Czech Republic, Hungary and Poland – in the first round was a clear message for these states and for those excluded from the first round that the requirements in the political, economic and military fields had to be met. The invitation to join the Alliance is therefore in one sense a reward for the success of the candidates' transformation. For Slovakia and Romania, the host countries for two biggest ethnic Hungarian minority communities, the NATO enlargement process implied significant consequences. Hungary's increased political authority created favorable conditions for Budapest to support the legitimate rights of ethnic Hungarian minority communities in the neighboring countries. Bratislava and Bucharest concluded that NATO enlargement requirements would necessitate respect for "European" norms, particularly regarding the rights of national minorities.



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## I. INTRODUCTION

The minority question has a broader dimension than Hungary and ethnic Hungarians. It is one of the main sources of threats to regional stability in Europe in the post-Cold War period. The current crises in the Balkans, including Bosnia and Kosovo are for example, based on the minority issues.

The end of the Cold War changed the status quo in Europe. The democratization process has touched individuals, communities and nations. As a result the post-World War II map of Europe has been redrawn. This process did not stop with challenges to the 1947 Paris Peace Agreement, but extended to the states created after the World War I. The Wilsonian principle calling for the self-determination of nations reappeared. The 45 years of – more or less – stability in Europe based on confrontation and a strategic balance of power between the Western allies and the Soviet Union and called the Cold War had disappeared. Instead, there appeared new security challenges: national, ethnic, religious and social tensions are the most threatening sources of conflict in Europe at the end of the twentieth century.

About one third of the ethnic Hungarians live in other nation-states, beyond the state borders of the modern state of Hungary. The two most numerous groups live in Romania and Slovakia as ethnic Hungarian minorities. Their minority status is an internal political issue for every Hungarian government as a question of national policy - that is, the welfare of all ethnic Hungarians, including those living outside Hungary. At the same

time, it is also a foreign policy issue for the Hungarian government, with bilateral and multilateral dimensions. As a bilateral issue, the minority question can connect or separate nations, generating either friendly or hostile relations. In this regard, the Hungarian government has the whole tool-set of diplomacy to express the interests of the ethnic Hungarian communities. Because the status of ethnic minorities is also a multilateral issue, the Hungarian government attempts to represent and support the ethnic Hungarians living in different states in international organizations and forums. Hungarian policy has been effective in promoting international regulation of the minority question.

However, international declarations regarding minority rights<sup>1</sup> do not have mandatory force and do not establish controllable requirements. They do not create rights for minority communities. Instead, they create obligations for the hosting nations. These obligations can be understood and interpreted in different ways. This ambiguity makes declaratory international regulation of the minority question ineffective. To make the international declarations and recommendations more effective, bilateral relations can be regulated in agreements, making the non-mandatory - and ineffective - regulations mandatory and controllable.<sup>2</sup>

This bilateral level of Hungarian policy in the 1990's is analyzed in this thesis. The history of bilateral agreements, called basic treaties, includes both successes and failures. This is why the second chapter of the thesis examines the theoretical issues

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<sup>1</sup> Like the declaration on Human Rights of the Council of Europe

<sup>2</sup> for example German-Danish accord on the rights and privileges of the ethnic Danishes living in North Schleswig Holstein

regarding the minority question. Providing definitions of the key terms used in the legal codification of the minority question and also analyzing the different theoretical approaches, this chapter classifies the different factors affecting the norm-setting process, as well as the norm-setting process itself. The conclusion of the chapter argues that the regulation at the level of international organizations such as the OSCE and the Council of Europe is ineffective. Therefore states which are determined to achieve their objectives regarding minority questions have to employ tools in addition to their activities at the level of international organizations.

NATO enlargement has had a positive effect on the ethnic Hungarian minorities in two of the neighboring countries - Romania and Slovakia. Hungary's invitation to join the Alliance, and the simultaneous exclusion of Romania and Slovakia from the first post-Cold War round of NATO enlargement, rewarded Hungarian policy and encouraged modifications in policy by the other two states. Hungary's favorable evaluation by the Atlantic Alliance increased its international authority, brought its membership in the European Union closer, and opened a few additional sources for economic development. The comparative advantage achieved by Hungary had been the main inspiration for the Romanians and the Slovaks to change the rulers who had pursued a confrontational policy toward Hungary because of the minority issue. The current governments (in 1999) both in Romania and Slovakia are coalitions which have included ethnic Hungarian parties. The current Hungarian government's intention to support the legitimate interests of ethnic Hungarians in Romania and Slovakia is not viewed as hostile behavior by Budapest, but the opposite - a normal and understandable policy.



In this situation Hungary and its neighbors can rely on the basic treaties they have signed for the regulation of their relations. In pursuing its national policy regarding ethnic Hungarian minorities in Romania and Slovakia, Budapest can rely on the regulatory force of these treaties. In pursuing their integration policies toward NATO and the European Union, Romania and Slovakia are able to rely on Hungary's support, as agreed in these treaties.

NATO's management of the enlargement process (and its schedule) has provided stability to the Central European region. It has been a "positive-sum" game. Europe gained more stability, while Romania and Slovakia gained more internal stability and incurred fewer criticisms from European institutions (e.g., the Council of Europe). Bucharest and Bratislava also brought about a revitalization of the transformation and democratization process (despite the exclusion from the first round of post-Cold War NATO enlargement). Hungary and the Hungarians are also among the winners. Hungary was invited to join NATO and achieved the membership in the North Atlantic Alliance. Hungary also was invited to start negotiations for membership in the European Union. The ethnic Hungarians in Romania and Slovakia gained responsibility in governing coalitions and a higher level of representation for their community interests. Hungary and the ethnic Hungarians can share their victory within the region. Thus the entire region has benefited from the enlargement process.

By enlarging NATO and the EU, Europe exported stability instead of importing instability. Changes in Hungarian attitudes about handling ethnic Hungarian minority questions are significant, and offer lessons of enduring importance. In Europe the borders

of nations and states rarely coincide exactly. An international system based on nation-states may be ineffective in handling minority questions, especially the national (or ethnic) minority question. Integration processes offering supranational and intergovernmental modes of activity for different nations can be seen as a tolerable form of coexistence for people belonging to different ethnic, national, religious or social groups. Only nations with great similarities in their value systems can participate in the integration processes. For nations that wish to join international institutions such as NATO and the EU the path is narrow: follow the norms and requirements. Hungary is an example in this regard. Its example may encourage its neighbors.

This thesis describes Hungary as a successful new democracy in the Central European region. An analysis is made of Budapest's policy regarding ethnic Hungarian minorities. The research concerns events affecting Hungary's policy in the 1990's. To understand the Hungarian policy and particularly its minority component the thesis analyzes the theoretical and historical roots of the question. This includes the historical circumstances that account for the existence of ethnic Hungarians beyond the borders of Hungary.

Hungarian policy is analyzed in all its dimensions: multilateral and bilateral levels, relations between Budapest and ethnic Hungarians abroad, and the internal political battles within Hungary regarding minority questions.

The focus is primarily on Hungary, with due attention to Romania and Slovakia as sovereign states, and also to ethnic Hungarians living beyond the Hungarian borders in those states. The goal is to analyze the ethnic minority question as a key factor in regional

stability in Central Europe, and to deepen understanding of the processes whereby all the parties interested in the ethnic Hungarian issue pursued a mutually agreeable solution favorable to regional stability. Based on mutual interest, ethnic Hungarian minorities should not divide states in Central Europe but connect them. Analyzing how the events of the last decade affected the Hungarian minorities beyond the borders of the Republic of Hungary, the thesis also examines the extent to which NATO enlargement had a significant effect on this sensitive question of lessening ethnic tensions between Hungary and its neighbors. By mastering security challenges and providing more stability in the region, NATO as a strong pillar of the European security architecture has promoted democracy not only in Hungary itself but also in neighboring countries.

The scope of the thesis includes a review of the theory of national minorities, an in-depth review of Hungary's policy regarding national minorities since 1990, and an analysis of NATO enlargement and its effect on regional stability, notably regarding the ethnic Hungarian minority issue. The thesis concludes with the lessons learned from the NATO enlargement process, and generalizes these lessons.

The methodology employed in this thesis research has consisted of a theoretical review of the minority question, and a historical review of documents intended to regulate the minority issue; a literature search of books, magazine articles, CD-ROM systems, the Internet and other library information resources. The thesis examines the policy implementation of the different governments in Hungary since 1990, as well as the demands and policy implementation of political organizations of the ethnic Hungarians in the neighboring countries. A thorough review of Budapest's foreign policy is conducted in

the light of the minority question. Decisions and events of the 1990's are reviewed to analyze and identify the consequences of NATO enlargement for the ethnic Hungarians in the neighboring countries.

This research has provided for the generalization of the lessons learned from the first post-Cold War round of NATO enlargement, particularly regarding the stability of the Central European region and the protection of the legitimate interests of the ethnic Hungarian minorities in the neighboring countries.

Why is the thesis entitled as *The Effects of NATO Enlargement on Budapest's Policies Regarding Ethnic Hungarian Minorities*? The 1990's can be seen as a period of changes, of which the most significant concern the mood and the character of the European security system. NATO – one of the most important elements of this system – has been transformed. This process reached a noteworthy point in 1997 when NATO announced the invitation of new members. The enlargement of NATO (as well as of the EU) created (and creates) new norms. This implied new behavior by the NATO members and by the nations seeking membership. These are the frameworks within which Hungary has pursued its policies.

This thesis concludes that NATO enlargement had a positive effect on Budapest's minority policy because the Alliance stipulated criteria which had to be fulfilled by Hungary. These criteria affected all levels of Hungary's minority policy, the level of international organizations, the bilateral level, the direct relationships and connections between Budapest and the political representatives of the ethnic Hungarian minority

communities beyond the borders, and the domestic level, the treatment of the national and ethnic minorities living in Hungary.

The enlargement changed the behavior of Hungary in pursuing its bilateral relations. Budapest would have to reach agreements with its neighbors despite unsettled issues relating to minorities. The basic treaties signed with Slovakia and Romania were prerequisites for NATO membership, because of the clear criterion of properly regulated relations with neighbors. Although the Hungarian government had been highly criticized by its domestic opposition as well as by some ethnic Hungarian minority representatives beyond the borders, the political tradeoffs regarding bilateral relations with neighbors paid off with the July 1997 invitation to join the first round of post-Cold War NATO enlargement. Hungary became a NATO member in March 1999, despite its support for the large ethnic Hungarian minority communities beyond the borders.

The exclusion of Slovakia and Romania also had a behavior-change effect regarding their ethnic (or national) minority communities. Both of these states make efforts to eliminate the tensions caused by controversial legal regulations concerning minorities. By adjusting their language and education laws, they signal their attempts to follow "European" norms. The change of behavior of these states also reflects the positive effects of NATO enlargement on the conditions affecting the ethnic Hungarian minorities. Relations between Budapest and Bratislava, as well as between Budapest and Bucharest changed from confrontation to cooperation. In late 1998 and early 1999 the news from the region included regular intergovernmental and other forms of cooperation almost every day, notably with respect to Hungarian aid in preparing to meet membership

criteria both for NATO and the EU. These activities are flourishing owing to positive developments in the treatment of minorities in Slovakia and Romania. The tensions generated by the minority issue among Hungary and its neighbors can be "dissolved" in a perspective of building a community of states pursuing policies based on the same principles. The need for support of minorities may be eliminated in the long term because of the disappearance of the issue. The optimistic perspective of the future of Europe is a continent respecting the individual and collective rights of all citizens regardless of their national or ethnic roots and identity. Their rights for self-government, with a wide range of local, cultural, and administrative opportunities, can take minority issues off the table.

Hungary followed clear patterns in its minority policy, regardless of the changing party "ideology" of the different political forces during the 1990's. The policy was successful because of the invitation for membership in NATO. Nevertheless, the invitation to join NATO affected Budapest's minority policy because of the clear message: requirements are preconditions. If Hungary reaches its objective regarding EU membership, this may also affect Budapest's minority policy. The question is if it will replace Hungary's emphasis on the bilateral level with the level of international organizations. In other words, will Hungary use its veto right in the consensus decision-making of NATO and the EU to influence the behavior of Bucharest and Bratislava regarding ethnic Hungarian minorities? It is obvious that Hungary will be a "strict observer" and – at the same time - a "generous partner" in supporting candidates by all possible and reasonable means. But the price will be satisfaction the minority issue. The positive side of this scenario is that it may lessen ethnic tensions in the Central European

region. The negative side from the point of view of “competitors” is Hungary’s advanced authority – which might cause instability in the region in some circumstances.

## II. THEORETICAL ANALYSES OF THE MINORITY QUESTION

The purpose of this chapter is to show the difficulties regarding to mutual understanding among the actors in international political life. One of these difficulties is the definition of the most frequently used terms regarding the minority issue, such as *minority*, *identity*, *ethnicity*, and *nation*. The chapter demonstrates how different sources define the meaning of these phrases. It also shows that the different definitions are based on distinct approaches based on theoretical, ideological and political differences. The chapter examines the norm-setting process regarding the prevention of conflict over national minorities. It concludes that the international institutions' efforts to handle national minority questions did not reach their aim to create legally binding mechanisms for effective prevention of the problems faced by these specific groups and their members. States that are strongly interested in this question should use different tools of international relations if they want to reach guaranteed mechanisms to solve these problems.

As Alan Phillips<sup>3</sup> wrote in 1995: "All countries in Europe are characterized by varying degrees of ethnic, linguistic and religious diversity. However, this diversity has only been recognized as a major European issue since the collapse of communism in

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<sup>3</sup> Alan Phillips is the Director of the Minority Rights Group International. ("The Minority Rights Groups is an international advocacy organization and its objectives are, in summary, to promote the rights of minorities and co-operation between communities. This is being achieved through a range of initiatives with governments and inter governmental bodies on the one hand to enhancing the ability of minority communities to present their case and through constructive dialogue and examples of good practice advance



Central and Eastern Europe, and the eruption of violent conflicts involving minorities in Europe."<sup>4</sup> His later words, written in 1995, were prophetic regarding future events in 1998-1999 in the former Yugoslavia. "The situation in former Yugoslavia - including Croatia, Bosnia and Serbia (with its Vojvodena and Kosovo regions) - has featured in news headlines daily. Violence continues in the Caucasus and in Moldova, while the potential for other violent conflicts is substantial. Many have been killed, and over 2 million people are refugees or displaced people from former Yugoslavia alone."<sup>5</sup> Does this mean that the next exploding point in Yugoslavia could be Vojvodena, where an ethnic Hungarian minority resides, or could the Vojvodena question be resolved by political means? How will the minority crisis be handled - if it develops - when the ethnic Hungarians have support from a neighboring NATO member, Hungary? How will the evolving Kosovo conflict affect this situation?

Alan Phillips also emphasizes that the crisis was recognizable from the starting moment of the transition which can be blamed for eruption of ethnic diversity-based violence. This kind of conflict may have been inevitable because the transition was based upon the rejection of the previous Communist ideology - which had the principle of proletarian-internationalism. Another reason for the inevitability of ethnic-based conflict was the pursuit of democracy itself, with its logic of the autonomy of political actors and social groups in the political structure of a democratic society. The elite pursuing

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their rights and enable communities to peacefully co-operate together."

<http://www.geocities.com/Athens/Delphi/6509/intro.html>)

<sup>4</sup> Phillips, Alan: Minority Rights in Europe <http://www.geocities.com/Athens/Delphi/6509/warwick.html>

<sup>5</sup> see Phillips

democracy as the desired political construction for a given society becomes suspicious when groups -- based on their ethnic identity -- require autonomy because the elite sees such efforts as limitations of their political actions.

Chris Hann describes the situation with a similar logic in his work *The Skeleton at the Feast*. "Another legacy of the past which has had a profound influence on the contemporary scene is the growth of nationalist movements. One of the principal forces threatening Imperial governments in the nineteenth century, it bequeathed insoluble problems for the nominally internationalist governments of socialist Eastern Europe in the twentieth. Nationalists created the most powerful legitimating bedrock for all later governments in this region, and most native East European understandings of the past continue to be filtered through nation-centered histories. This reflects the fragility of nations in the east, which have frequently been subject to collapse and dismemberment."<sup>6</sup>

In his essay, *Minority Rights in Europe*, Alan Phillips also states that "during the 1990's, some governments of Western Europe have been the most adamant in opposing new measures to secure minority rights in Western Europe, denying the existence of minorities within their state, while devising language and mechanisms that will apply to minorities in Central and Eastern Europe."<sup>7</sup> In the notes to his November 1995 paper, he names these states: "The French, Belgian, Spanish and, more recently, German governments have failed to support measures at the Council of Europe and the United

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<sup>6</sup> Hann, Chris: *The Skeleton at the Feast: Chapter 1: Boundaries and Histories* (1995)  
<http://lucy.ukc.ac.uk/csacpub/skeleton/chap1.html>

<sup>7</sup> see Phillips

Nations."<sup>8</sup> In the conclusion of his paper he repeats his charge, adding two states to his list: "Belgium, France, Germany, Greece, Spain and [the] UK are reluctant to promote minority rights because of domestic concerns."<sup>9</sup> He accuses these states of using unequal measurements for themselves and for East European nations, "newcomers" to the democratic community of European nations. "Double standards seem to exist in the policies of some States which have held back both the setting of standards and the implementation of minority rights. It will be seen that often the concern is not primarily for minorities and minority rights, but for stability and economic development at the periphery of Western Europe."<sup>10</sup> The quotation also shows the two main directions of the handling of the minority question: standard-setting and implementation.

Alan Phillips also argues that "the danger of conflicts within the emerging democracies of the former USSR and Communist states was apparent, even in 1990, when the CSCE moved quickly to establish new standards for States regarding their treatment of minorities."<sup>11</sup>

The significance of his words became evident once again March 1999. The US-led NATO after a long and unsuccessful negotiation process, started to use force against Yugoslavia in an attempt to force it to respect the rights of the ethnic Albanian minority in Kosovo. NATO decided to act to avoid a humanitarian catastrophe and to uphold human rights standards.

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<sup>8</sup> see Phillips

<sup>9</sup> see Phillips

<sup>10</sup> see Phillips

<sup>11</sup> see Phillips

The basic question in Kosovo for the ethnic Albanian Kosovars is autonomy and self-determination. The basic question for Belgrade in Kosovo is sovereignty of the Yugoslavian state. The developments of actions in Kosovo since Milosevic eliminated its partial autonomy in 1989 have led to a civil war situation in which the Kosovo Liberation Army has fought against the repressive forces of Yugoslavia. The situation has produced hundreds of thousands of refugees. NATO threatened Yugoslavia with air strikes to prevent the humanitarian catastrophe. The involved sides started negotiations in Rambouillet (France), but the negotiations were unsuccessful. The subsequent actions of the Yugoslav leadership were evaluated as "ethnic cleansing" and the North Atlantic Alliance decided to act.

The Kosovo crisis has again drawn attention to the question of minorities. This is one of the most sensitive issues in Central and Eastern Europe since the collapse of communism. Why is it sensitive? What are the roots of the question? How can such conflicts be avoided in the future? Who are the minorities? These questions require a clear theoretical analysis.

#### **A. DIFFICULTIES IN THE DEFINITION**

Chris Hann warns his readers that "an anthropological understanding cannot accept nationalist versions of history at face value, but nor should it scoff at the deep-seated emotions that have gone into their construction."<sup>12</sup> Alan Phillips has pointed out that "the definition of what is a minority is a source of controversy and can be a topic of

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<sup>12</sup> see Hann

endless and often fruitless debate, with governments wanting a restrictive definition and minority communities wanting a broad one."<sup>13</sup> This thesis can not aim to solve all these debates. Nevertheless it should make its basic approach clear. That's why it fixes its basic premises according to the issue.

The definition of minority relevant to this thesis in the Webster Dictionary is the following:

*minority (n):*

- 1) a group of people who differ racially or politically from a larger group of which it is a part,

According to a UN document entitled as *Minorities: A Working Definition* uses the following definition (in 1997):

"'Minority' denotes a group of persons in principle permanently resident in the territory of a State, numerically fewer than the remaining population of that State, in other words constituting less than half of its population, endowed with national or ethnic, religious and linguistic and other related characteristics (culture, traditions and so forth) distinct from similar characteristics of the rest of the population, and displaying a will to preserve the existence and identity of the group. This shall not be interpreted as authorizing or encouraging any action aiming at depriving anyone of the status of citizen or permanent resident."<sup>14</sup>

Both of these definitions emphasize the quantitative aspect - the distinction in

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<sup>13</sup> see Phillips

<sup>14</sup> *Minorities: A Working Definition* (UN Doc. E/CN.4/Sub.2/AC.5/1997/WP.1, p. 6) Article 1  
<http://www.geocities.com/~ihraam/mindocdef.htm>

some character from the bigger part of the unit of comparison, the majority. Another important element of these definitions is that they speak about a "group of people". A group can differ from the other (bigger) group in characteristics which are common for the members within the group. This last point leads us to the next part of the question, which is the identity, as a basis for being a member of this group.

Helen Galkina, a Russian scholar, states: "The term 'identity', which was introduced by Freud to explain personal psychological mechanisms, is a fundamental concept in the explanation of many social phenomena."<sup>15</sup>

The Webster Dictionary offers the following definition of identity:

*identity (n)*

- 1) the distinct personality of an individual regarded as a persisting entity: "you can lose your identity when you join the army" [syn: {individuality}]
- 2) collective aspect of the set of characteristics by which a thing is recognizable or known
- 3) an operator that leaves unchanged the element on which it operates; "the identity under numerical multiplication is 1" [syn: {identity element}, {identity operator}]
- 4) exact sameness; "they shared an identity of interests" [syn: {identicalness}, {indistinguishability}]<sup>16</sup>

From the point of view of this thesis the second meaning carries the essence: the identity is a recognizable distinction or differentiation from the others. The fourth meaning is also important from a point of view of group recognition, because there is an

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<sup>15</sup> Galkina, Helen: Theoretical Approaches to Ethnic Identity  
<http://fuentes.csh.udg.mx/CUCSH/Sincronia/galkina.html>

<sup>16</sup> see Webster <http://www.m-w.com/netdict.htm>

exact sameness within the group. And that sameness distinguishes the group's members from the others and at the same time shows their community. To be a member of a group depends on a personal choice. The 1966 UN-issued *International Covenant on Civil and Political Rights* (which entered into force on March 23, 1976) also states: "All peoples have the right of self-determination."<sup>17</sup>

To recognize one's membership within a group depends on self-identification. Asbjørn Eide states that "the state cannot impose a particular ethnic identity on a given person".<sup>18</sup> Moreover, "states shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity."<sup>19</sup> The *UN Declaration on the Rights of Persons Belonging to National or Ethnic, Linguistic and Religious Minorities*<sup>20</sup> (1992) makes the same requirement. This document speaks about *national or ethnic* minorities. The *Recommendation 1201* of the Parliamentary Assembly of the Council of Europe<sup>21</sup> (1993) speaks about national minorities. In it the choice of a particular individual to belong to a minority. *Recommendation 1201* states: "Membership of a national minority shall be a matter of free personal choice."<sup>22</sup>

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<sup>17</sup> [http://www.unhcr.ch/refworld/legal/instruments/detention/civpot\\_e.htm](http://www.unhcr.ch/refworld/legal/instruments/detention/civpot_e.htm)

<sup>18</sup> Eide, Asbjørn: Commentary to Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Working paper) Commission on Human Rights Sub-Commission on Prevention of Discrimination and Protection of Minorities Working Group on Minorities, Fourth session, 25-29 May 1998 <http://www.geocities.com/~ihraam/eide.html>

<sup>19</sup> see: Eide

<sup>20</sup> <http://sunsite.wits.ac.za/law/humanrts/resolutions/47/135GA1992.html>

<sup>21</sup> <http://stars.coe.fr/ta/ta93/erec1201.htm>

<sup>22</sup> <http://stars.coe.fr/ta/ta93/erec1201.htm>

Helen Galkina states that "identity is often taken for granted as a term which does not need to be defined, and is itself used to define ethnicity"<sup>23</sup>. To support her statement she quotes Schildkrout's definition: "Ethnicity is a set of conscious or unconscious beliefs or assumptions about one's own or another's identity, as derived from membership in a particular type of group or category."<sup>24</sup>

Summarizing the different schools of thought regarding ethnicity, Galkina recalls the primordialist and structuralist views. According to Galkina *primordialism* "views ethnicity as irrational, deep-seated allegiances and attachments to kin, territory or religion. ... Ethnicity is seen as a primordial tie which connotes unity and solidarity above and beyond internal division."<sup>25</sup> In her explanation *structuralism* "considers ethnicity more or less as 'false consciousness', or 'ideology', which is rationally manipulated or consciously adopted as a strategy for pursuing the political and economic goals of ethnic groups. ... The instrumental, pragmatic and changeable aspects of ethnicity are emphasized, and ethnic identity is viewed as a rational reaction to social pressure."<sup>26</sup>

Helen Galkina also calls attention to the dual character of the ethnic identity: "identity can be seen as a complex balance between components of generality and components of individuality. ... That means there are two levels of consideration: from the point of view of the ethnic group as a whole (group ethnic identity) and from the point

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<sup>23</sup> see Galkina

<sup>24</sup> see Galkina

<sup>25</sup> see Galkina

<sup>26</sup> see Galkina



of view of individual actors (individual ethnic identity)."<sup>27</sup>

Another central issue in the theoretical analyses of the minority issue concerns distinctions among the different types of minorities. Some approaches do not distinguish between the different "subgroups" of minorities, while others do. The focal point is the definition of the *national* minority, as opposed to the *ethnic* minority. As suggested earlier, the border between the approaches is the understanding the term of nation.

As Alan Phillips states, "in various standard-setting and implementation mechanisms in Europe, there has been an attempt to identify two different kinds of minorities: national minorities and other minorities (ethnic, linguistic and religious minorities) who are not national minorities."<sup>28</sup>

The Webster Dictionary offers the following definitions:

*nation (n)*

- 1) a politically organized body of people under a single government; "the state has elected a new president" [syn: {state}, {country}, {land}, {commonwealth}, {res publica}, {body politic}]
- 2) the people of a nation or country or a community of persons bound by a common heritage; "a nation of Catholics"; "the whole country worshipped him" [syn: {nationality}, {land}, {country}, {a people}]
- 3) the territory occupied by a nation; "he returned to the land of his birth"; "he visited several European countries" [syn: {country}, {state}, {land}]
- 4: a federation of tribes (especially native American tribes); "the Shawnee nation"

*nationality (n)*

- 1) the people of a *nation* or country or a community of persons bound by a

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<sup>27</sup> see Galkina

<sup>28</sup> see Phillips

common heritage; "a *nation* of Catholics"; "the whole country worshipped him" [syn: {*nation*}, {land}, {country}, {a people}]

- 2) the status of belonging to a particular *nation* by birth or naturalization

*national* (adj)

- 1) of or relating to or belonging to a *nation* or country; "*national* hero"; "*national* anthem"; "a *national* landmark"
- 2) limited to or in the interests of a particular *nation*; "*national* interests"; "isolationism is a strictly *national* policy" [ant: {international}]
- 3) concerned with or applicable to or belonging to an entire *nation* or country; "the *national* government"; "*national* elections"; "of *national* concern"; "the *national* highway system"; "*national* forests" [ant: {local}]
- 4) owned or maintained for the public by the *national* government; "*national* parks"
- 5) inside the country; "the British Home Office has broader responsibilities than the United States Department of the Interior"; "the *nation's* internal politics" [syn: {home(a)}, {interior(a)}, {internal}]
- 6) characteristic of or peculiar to the people of a *nation*; "a *national* trait"
- 7) of or relating to *nationality*; "*national* origin" n : a person who owes allegiance to that *nation*; "a monarch has a duty to his subjects" [syn: {subject}]<sup>29</sup>

The core of the confusion resides in the differences in understanding of the expression of *nation*. As Alan Phillips states, "the concept of 'national' has different meanings in different countries and languages. In the English language the phrase 'nation state' is often used without any intended difference from the word 'state', while nationality

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<sup>29</sup> see Webster <http://www.m-w.com/netdict.htm>

refers to citizenship and not historical, ethnic origins or 'mother country'.”<sup>30</sup> In some languages nation has another meaning, "culture nation", what the English language describes as an "ethnic nation."

According to John Rex's analysis "Quite different from ethnic nations are modernizing nation states of the kind created in nineteenth century Europe. In these states a controlling group organizes the populace as equal subjects and citizens. A citizen is deemed to have rights and duties assigned to him or her by the state and the bonds created by these rights and duties have primacy over all others, including all those associated with a more 'primordial' ethnicity.”<sup>31</sup>

In Rex's view, "the theory of ethnicity is concerned to understand the nature of the social bonds which exist within small-scale communities of birth, in larger groups conveniently called ethnies, in ethnic nations, in modernizing industrial nation states, in empires and multi-national states, in post-imperial nationalism, irredentist movements and in transnational migrant communities.”<sup>32</sup>

According to Rex's logic, "the following elements [in primordial ethnicity] appear important: (1) kinship, (2) neighborhood or shared territory, (3) shared religious beliefs, (4) shared language, (5) shared customs, (6) a shared history or narrative of origin. Taken together the ties involved in these elements create a profound sense of belonging to a

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<sup>30</sup> see Phillips

<sup>31</sup> Rex, John (Professor Emeritus, University of Warwick,): The Place of Language in the Theory of Ethnicity and Nationalism and Migration A Discussion Paper for a Conference in the University of Maryland at College Park <http://www.bsos.umd.edu/CSS97/papers/rexpap.html>

<sup>32</sup> see Rex

group. This is why there is a certain credibility in speaking of a 'primordial' ethnicity."<sup>33</sup>

To make a clear picture of the "opposite" expression, discussion about ethnicity can not be avoided. The Webster Dictionary suggests the following definitions:

*ethnicity* (n):

- 1) an ethnic quality or affiliation resulting from racial or cultural ties;
- 2) "ethnicity has a strong influence on community status relations"

*Ethnic* \Eth"nic\, *Ethnical* \Eth"nic\*a\, a. [L. ethnicus, Gr. ?, fr. ? *nation*, ? ? the *nations*, heathens, gentiles: cf. F. ethnique.]

- 1) Belonging to races or *nations*; based on distinctions of race; ethnological.
- 2) Pertaining to the gentiles, or *nations* not converted to Christianity; heathen; pagan; -- opposed to Jewish and Christian.

*ethnic* (adj)

- 1) relating to or being a member of an ethnic group; "ethnic frontiers"; "ethnic Chinese in San Francisco" [syn: {ethnical}]
- 2) denoting or deriving from or distinctive of the ways of living built up by a group of people; "influenced by ethnic and cultural ties"- J.F.Kennedy; "ethnic food" [syn: {cultural}]]<sup>34</sup>

Donald Rothchild in his book *Managing Ethnic Conflict in Africa* suggests the following definition: "*Ethnicity* refers to a subjective perception of common origins, historical memories, ties, and aspirations; *ethnic group* suggests organized activities by people who are linked by a consciousness of a special identity, who jointly seek to maximize their corporate political, economic, and social interests. Ethnicity, or a sense of

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<sup>33</sup> see Rex

<sup>34</sup> see Webster <http://www.m-w.com/netdict.htm>

peoplehood, has its foundation in combined remembrances of past experience and in common inspirations, values, norms, and expectations. The validity of these beliefs is less significant to an overarching sense of affinity than is the people's ability to symbolize their closeness to each other."<sup>35</sup>

Stephen D. Krasner and Daniel T. Froats state that: "The US emerged from World War II as the dominant state in the international system, powerful enough to project its values on the post-war order. Minority rights were not part of the American political heritage. A nation of immigrants, American identity was based on political belief not ascriptive ties. The governing ideology was grounded in the mutual acceptance of political values, which ennobled the individual and emphasized democracy and capitalism. The chief proponent of the Universal Declaration of Human Rights, Eleanor Roosevelt, successfully excluded minority rights."<sup>36</sup>

In 1990 the Council of Europe published its *Recommendation 1134*. According to this document, "There are many kinds of minorities in Europe. They have certain characteristics which may be ethnic, linguistic, religious or other which distinguish them from the majority in given area or country."<sup>37</sup> In this document national minorities were defined as follows: "national minorities - that is to say, separate or distinct groups, well defined and established on the territory of a state, the members of which are nationals of

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<sup>35</sup> Rothchild, Donald: *Managing Ethnic Conflict in Africa*, Brookings Institution Press, Washington D.C. 1997. p.4.

<sup>36</sup> Stephen D. Krasner and Daniel T. Froats: *The Westphalian Model and Minority-Rights Guarantees In Europe*, Paper prepared for the IGCC Project on Ethnic Conflict, InIIS-Arbeitspapier Nr. 2/96 Institut für Interkulturelle und Internationale Studien (InIIS) Universität Bremen p.22

<sup>37</sup> <http://stars.coe.fr/ta/ta90/erec1134.htm>

that state and have certain religious, linguistic, cultural or other characteristics which distinguish them from the majority of the population".<sup>38</sup> The definition is ambiguous because the expression *national* is used with two meanings. First, it refers to an ethnic minority with distinct characteristics. Second, it refers to citizens as nationals of that state. The consequence is the next statement within the same document: "It is obvious that the Council of Europe must have the interests of minorities at heart - one of the main assignments given to this organization being the maintenance and further realization of human rights and fundamental freedoms. Minorities is one of the major subjects for co-operation and consultation with the countries of Central and Eastern Europe."<sup>39</sup> The minority issues are seen as elements of the overall human rights question – but nothing more.

In 1993, the Council of Europe's *Recommendation 1201* went beyond the previous conditions. It defined the term *national minority* as follows:

"For the purposes of this convention the expression "*national minority*" refers to a group of persons in a state who

- reside on the territory on that state and are citizens thereof,
- maintain long standing, firm and lasting ties with that state,
- display distinctive ethnic, cultural, religious or linguistic characteristics,
- are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state,
- are motivated by a concern to preserve together that which constitutes their

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<sup>38</sup> <http://stars.coe.fr/ta/ta90/erec1134.htm>

<sup>39</sup> <http://stars.coe.fr/ta/ta90/erec1134.htm>

common identity, including their culture, their traditions, their religion or their language.”<sup>40</sup>

The previously mentioned *Recommendation 1134* held that: “Respect for the rights of minorities and persons belonging to them is an essential factor for peace, justice, stability and democracy.”<sup>41</sup>

## **B. DIFFICULTIES OF STANDARD-SETTING**

The standard-setting process is difficult because of the definitional issues. It is also difficult from an "ideological" viewpoint. These difficulties affect both sides of the standard-setting process: the political and the legal side.

Ideological difficulties are highlighted in Hann's work: "Demarcation of the boundary between east and west in Europe in the late twentieth century is no straightforward task. It evidently depends on the boundaries of Europe itself, but these have never been unambiguous. The self-styled European Union countries pursue a cultural policy that proclaims their unity in grand civilizational terms, but there is no justification for the exclusion of the countries known until recently as the 'eastern bloc'." <sup>42</sup> According to Hann, this "demarcation line" was the River Elbe. He recalls Max Weber's sociological research in Germany. Weber studied farm labor in Eastern and Western provinces, and showed sociological differences between the Eastern and Western provinces. He also recalls a Hungarian historian, Ivan Berend T., who argued that the

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<sup>40</sup> <http://stars.coe.fr/ta/ta93/erec1201.htm>

<sup>41</sup> <http://stars.coe.fr/ta/ta90/erec1134.htm>

<sup>42</sup> see Hann

River Elbe divided the Eastern and Western parts of Europe in the ninth century, because it was the border of Charlemagne's Empire. The post World War II settlements also draw this boundary line of the Western part of Europe. The most important point made by Ivan Berend T. is the following: "The Empire represented a Christian, feudal and agriculture-based world that was considered 'European'. As opposed to this, whatever lay east of the Elbe was barbaric and unsettled."<sup>43</sup>

In his book *The Clash of Civilizations* Samuel P. Huntington also deals with the question of the dividing line between the West and the East. As Huntington points out, "During the Cold War the United States was at the center of a large, diverse, multicivilizational grouping of countries who shared the goal of preventing further expansion by the Soviet Union. This grouping, variously known as the 'Free world,' the 'West,' or the 'Allies,' included many but not all Western societies, ..." <sup>44</sup> The late 1980's and the early 1990's saw the end of the bipolar world and the end of Cold War. The changes affected not only the East, but also the West. In Huntington's interpretation, "with the end of the Cold War these multicivilizational, cross-cultural groupings fragmented. ...[The] 'Free World' of the Cold War is being reconfigured into a new grouping more or less coextensive with Western civilization."<sup>45</sup> Huntington draws the same line as Berend T. does. "The civilizational paradigm {thus} provides a clear-cut and compelling answer to the question confronting West Europeans: Where does Europe end?

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<sup>43</sup> Ivan Berend T. quoted by Hann

<sup>44</sup> Huntington, Samuel P.: *The Clash of Civilizations* p. 157

<sup>45</sup> see Huntington, p. 157



Europe ends where Western Christianity ends and Islam and Orthodoxy begin."<sup>46</sup>

Hann offers a generalization about Western "ideology" in his paper: "In many western accounts Eastern Europe is presented as the generalized 'Other'". Hann clarifies the meaning of "others" as follows: "In the decades of the Cold War it was of course presented as a political 'Other'. But long before the socialist period there was an east-west divide, or at least an incline, with westerners generally looking down on their neighbors to the east, and sometimes emphatically 'demonizing' all those associated with this point of the compass."<sup>47</sup> The two basic elements of this attitude were the poorer economic performance of states east of the Elbe and also the view that this region marked the "edge of Christian civilization". The dividing line is similar to that identified by Berend T., and Huntington.

Hann draws a very suggestive picture with the following remarks: "The *relative* character of the boundary is repeated throughout Central Europe, and again in the Balkan zones. These patterns continue to receive myriad reinforcements in everyday life. For example, geographical accounts, tourist literature and economic reports constantly refer to major cities such as Warsaw, Budapest, Bucharest and Sofia as a 'gateway to the east', but one never knows exactly when the east has been reached."<sup>48</sup>

As a consequence, the Western imagination about the Eastern part of Europe still existed - in a modified form - in the post Cold War period also. As Hann points out,

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<sup>46</sup> see Huntington, p.158

<sup>47</sup> see Hann

<sup>48</sup> see Hann

"debates within Eastern Europe have been echoed by the persistence in the west of highly negative images of 'the other Europe' after the collapse of communism. The master symbol of the iron curtain seems to have been displaced by that of all-pervasive mafia: as before, the purpose is to emphasize that Eastern Europe still falls well short of democratic, civilized norms in the West."<sup>49</sup>

Hann's paper also presented a theory regarding "the lands between: three regions and three sub-regions".<sup>50</sup> According to this theory (Central and) Eastern Europe is a land between Western Europe and the Asian steppe. It is "an intermediate zone of political, economic and cultural transitions".<sup>51</sup> This territory and the people living there "experienced the migrations and invasions of Huns, Avars, Hungarians and Tatars".<sup>52</sup> Of these nomadic nations only the Hungarians could survive the absorption of the region. Hann's remark is significant: "The Hungarians were the most successful of all these groups in preserving their language and collective identity in Europe." Hann's list must be completed with the Turks (Ottoman Imperial) and also with the Communist Soviet Union. Because of the "half way" or gateway position either to West or the East, expansion in either direction can be reached only through this region. This is why "the consequent instability is evident in the archaeological record. Outcomes of this contact ranged from conquest and extermination to various forms of accommodation and absorption."<sup>53</sup>

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<sup>49</sup> see Hann

<sup>50</sup> see Hann

<sup>51</sup> see Hann

<sup>52</sup> see Hann

<sup>53</sup> see Hann

### C. POLITICAL SIDE OF THE STANDARD SETTING PROCESS

The difficulties regarding minority issues are consequences of political settlements. The whole history of minority questions proves it. Stephen D. Krasner and Daniel T. Froats state that there are contradicting opinions regarding human rights issues. Some argue that "the international law of human rights is revolutionary because it contradicts the notion of national sovereignty that is, that a state can do as it pleases in its own jurisdiction"<sup>54</sup>. Others state the opposite: international law has indeed "broken through the armor of sovereignty"<sup>55</sup>. Stephen D. Krasner and Daniel T. Froats argue that "the view that international concerns for minority rights represent an important change in the international system ignores the historical persistence of international involvement in the treatment of minorities within states." As Krasner and Froast, "Every major peace treaty from Westphalia to Versailles contained provisions for the protection of minorities, defined in terms of religious affiliation and later linguistic and ethnic identity."<sup>56</sup> They also argue that, as an analytical approach, the "Westphalian model, which stipulates that states have exclusive authority within their own territory, fails to provide an adequate ontological construct or explanation for the behavior of rulers. In anarchic environment rulers always have the option of compromising their own autonomy or intervening in the internal affairs of other states. The principle of non-intervention, which along with territoriality defines the Westphalian model, has persistently been challenged by

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<sup>54</sup> Krasner, Stephen D., and Froats, Daniel T.: *The Westphalian Model and Minority-Rights Guarantees in Europe*, Institut für Interkulturelle und Internationale Studien (InIIS) Universität Bremen, 1996  
<http://alf.zfn.uni-bremen.de/~iniis/papiere/2-96.doc>

<sup>55</sup> see Krasner and Froats

<sup>56</sup> see Krasner and Froats

alternative principles, including the international protection of minority or human rights. Power and interest, not just principled beliefs have determined actual outcomes."<sup>57</sup>

Describing the Westphalian model, Krasner and Froats discuss the four "modalities"<sup>58</sup> of the model through which means for minority protection had been intended. The first group of instruments consists of the "conventions [which] are international agreements in which rulers commit themselves to certain practices with regard to their own subjects."<sup>59</sup> International agreements, for example, can be ratified by the legal system of the state and become a part of the domestic legal order. The second group comprises the "contracts [which] are agreements in which rulers commit themselves to certain domestic policies contingent on the behavior of other rulers."<sup>60</sup> Some states create an example, a moral basis for their actions in the international arena. But these commitments can (and should be) lifted to the level of internal legal acts and create real obligations for the rulers. The third group of instruments to protect minority rights amounts to "coercion [in] situations in which the rulers in one state threaten those in others. ... The status quo ante is no longer available."<sup>61</sup> The actions can develop in two directions: complying or denying. "Complying with the preferences of the initiator" means that the pressure is successful from the point of view of the initiator. The other option is to deny the preferences of the initiator, which can easily result "suffering the

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<sup>57</sup> see Krasner and Froats

<sup>58</sup> see Krasner and Froats

<sup>59</sup> see Krasner and Froats

<sup>60</sup> see Krasner and Froats

<sup>61</sup> see Krasner and Froats

consequences of sanctions". The fourth and final group of "modalities" is the "imposition [which] occurs when the rulers or would-be rulers of a state have no option but to accept the preferences of more powerful states."<sup>62</sup> If the coercion develops into the direction of factual tensions the state can be defeated, and then it would have no other option than to accept the imposed preferences and to comply with them. The first group of instruments for the protection of minority rights covers voluntary (sovereign and autonomous) actions of a state in the international arena, the second in the domestic domain. The third group aims to reach the peaceful resolution of some crisis but in the shadow of the use of force. The last group concerns open conflicts without the willingness to compromise interests; this leads to loss of the opportunity to pursue one's own interests. Instead, conditions are dictated, in an interference with state sovereignty. Because of the unequal positions, the state has no other choice in these circumstances.

The "minority rights were a fringe issue within the human rights," in the Cold War era, as Alan Phillip states<sup>63</sup>. In the bipolar world raising the question was considered to be an interference engagement in the internal affairs issues of the other side's states. The UN was not able to handle the question. UN documents regarding the issue "concentrated on the non-discrimination of individuals."<sup>64</sup>

In these circumstances the Helsinki Final Act of 1975 was a crucial point in the development of the political side of the issue. That was the forum, the Conference on

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<sup>62</sup> see Krasner and Froats

<sup>63</sup> see Phillips

<sup>64</sup> see Phillips

Security and Cooperation in Europe (CSCE), for negotiations among the European nations, including the United States and Canada. The CSCE collected three sides, three groups of North American and European nations: NATO, the Warsaw Pact, and the non-allied nations. One of the three baskets<sup>65</sup> of the agenda of the conference and also of its Final Act concerned human rights. The other two baskets concerned (a) security and (b) economics, science, technology, and the environment. According to Alan Phillips, "suggestions that a state might be in breach of a CSCE agreement were considered to be a very serious issue and all states either conformed or endeavored to be seen as conforming. It is for this reason ... that the political regimes of the CSCE were much more effective than the legal or moral agreements of the UN or the Council of Europe."<sup>66</sup> The political pressure based on the declared agreement of the nations participating in the CSCE was the most powerful instrument.

#### D. LEGAL SIDE OF THE STANDARD-SETTING PROCESS

The *Universal Declaration of Human Rights*<sup>67</sup> adopted and proclaimed by UN General Assembly resolution 217 A (III) of 10 December 1948 does not use the expression *minority*. Minority rights were not an issue for the UN in 1948 as a separate set of rights. An article on the Human Rights homepage of the UN glorifying the 50th

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<sup>65</sup> The document was divided into three main parts, or "baskets", concerning:

1. Questions relating to security in Europe;
2. Co-operation in the fields of economics, science and technology, and the environment;
3. Co-operation in the humanitarian and other fields.

<http://www.osce.org/e/dt-nb.htm>

<sup>66</sup> see Phillips

<sup>67</sup> <http://www.un.org/Overview/rihts.html>

anniversary of the Universal Declaration of Human Rights indicates that the standard-setting continued in more specific directions after the adoption of the Declaration. "The General Assembly decided to draft two Covenants codifying the two sets of rights outlined in the Universal Declaration: Civil and Political Rights and Economic, Social and Cultural Rights. The Member States debated the individual provisions for two decades, seeking to give explicit endorsement to certain aspects of the universality of human rights only implicitly referred to in the Universal Declaration, such as the right of all peoples to self-determination, as well as reference to certain vulnerable groups, such as indigenous people and minorities."<sup>68</sup>

The UN also created the *Office of the United Nations High Commissioner for Human Rights*. "The High Commissioner's broadened mandate supports the work of the Commission on Human Rights and the treaty bodies, focusing, among other things, on advancing the rights of women and children, combating racial discrimination in all its forms and protecting vulnerable groups and minorities, such as indigenous people, migrants and disabled people."<sup>69</sup>

The results obtained reflect the efforts of committees, and subcommittees which have fairly limited power both in norm-setting and in implementation. "Since 1948, the Commission has been assisted by the 26-member Subcommission on Prevention of Discrimination and Protection of Minorities, composed of independent experts from all regions of the world. The Subcommission, in turn, has established several working

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<sup>68</sup> A United Nations Priority: Universal Declaration of Human Rights, <http://www.un.org/rights/HRToday>

<sup>69</sup> A United Nations Priority: Human Rights in Action, <http://www.un.org/rights/HRToday>

groups, which serve as forums for interaction between Governments and civil society concerning the rights of indigenous people, minorities and groups vulnerable to contemporary forms of slavery.”<sup>70</sup>

The *European Convention on Human Rights*<sup>71</sup> issued by the Council of Europe in Rome 1950 (with five protocols, in 1952, 1963, and 1966) only once used the expression of *minority*, and did so referring to a *national minority*. "The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."<sup>72</sup>

The *CSCE Final Act in Helsinki* (1975) uses the expression *national minority* twice. The first use refers to commitments by states to respect human rights. "The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere."<sup>73</sup> This is the document in which the expression *persons belonging to* appeared regarding national minorities. But the persons are not the groups, so the rights protected by the document are connected to the individuals, not their groups. The second use of the term *national minority* concerns the defense of regional cultures. "The participating States, recognizing the contribution

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<sup>70</sup> A United Nations Priority: Human Rights in Action, <http://www.un.org/rights/HRToday>

<sup>71</sup> <http://www.coe.fr/eng/legaltxt/5e.htm>

<sup>72</sup> <http://www.coe.fr/eng/legaltxt/5e.htm>

<sup>73</sup> <http://www.osce.org/e/docs/summits/helfa75e.htm>



that national minorities or regional cultures can make to co-operation among them in various fields of culture, intend, when such minorities or cultures exist within their territory, to facilitate this contribution, taking into account the legitimate interests of their members."<sup>74</sup>

The *CSCE Meeting on the Human Dimension* at the start of the new era in Europe (Copenhagen, 29 June 1990) stated that "the questions relating to national minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law, with a functioning independent judiciary."<sup>75</sup> According to the meeting's concluding document the *national minority* issue is an element of universal human rights. "Respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy in the participating States."<sup>76</sup>

In the same year (1990) the Parliamentary Assembly of the Council of Europe in its *Recommendation 1134 on the rights of minorities* made two statements regarding to national minorities. The first is called *General Observations on Minorities*, in which the Assembly stated: "There are many kinds of minorities in Europe. They have certain characteristics which may be ethnic, linguistic, religious or other which distinguish them from the majority in given area or country."<sup>77</sup> In the document the assembly tried to define the phrase *national minorities*: "In respect of national minorities - that is to say, separate

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<sup>74</sup> <http://www.osce.org/e/docs/summits/helfa75e.htm>

<sup>75</sup> <http://www.htmh.hu/dokumentumok/csce.htm>

<sup>76</sup> <http://www.htmh.hu/dokumentumok/csce.htm>

<sup>77</sup> <http://stars.coe.fr/ta/ta90/erec1134.htm>

or distinct groups, well defined and established on the territory of a state, the members of which are nationals of that state and have certain religious, linguistic, cultural or other characteristics which distinguish them from the majority of the population."<sup>78</sup> This is the document that first used the phrase *nationals of that state* regarding national minorities. This ambiguous and confusing expression has caused a lot of difficulty in subsequent years. If *national* means citizen, the expression *national minority* does not make any sense. If the expression *national* means *ethnic*, the expression *ethnic of that state* also senseless if one assumes that the state is nation-state, and the expression *ethnic* is assigned to show divergence.

The *Paris Charter for a New Europe of the CSCE*<sup>79</sup> (Paris, 19 - 21 November 1990) also assumed that minorities are individuals. This is why "the ethnic, cultural, linguistic and religious identity of national minorities will be protected and [why] persons belonging to national minorities have the right freely to express, preserve and develop that identity without any discrimination and in full equality before the law."<sup>80</sup> The document also declares directly that "the rights of persons belonging to national minorities must be fully respected as part of universal human rights."<sup>81</sup>

The *European Charter for Regional or Minority Languages*<sup>82</sup> (Strasbourg, 5 November 1992) followed an ambiguous approach: "regional or minority languages'

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<sup>78</sup> <http://stars.coe.fr/ta/ta90/erecl134.htm>

<sup>79</sup> <http://www.osce.org/e/docs/summits/helfa90e.htm>

<sup>80</sup> <http://www.osce.org/e/docs/summits/helfa90e.htm>

<sup>81</sup> <http://www.osce.org/e/docs/summits/helfa90e.htm>

<sup>82</sup> <http://www.coe.fr/eng/legaltxt/148e.htm>

means languages that are: traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population."<sup>83</sup> Again, *nationals*, and *minorities* are mixed and not defined clearly.

The *UN Declaration on the Rights of Persons Belonging to National or Ethnic, Linguistic and Religious Minorities*<sup>84</sup> (1992) also uses the formula of "persons belonging to ..." without any further definition of *national minorities*.

The first clear definition on national minorities appeared in the *Recommendation 1201* (1993) of the Parliamentary Assembly of the Council of Europe. This Recommendation aims to amend the European Convention with a sixth protocol. The effort to define the expression *national minority* resulted in a definition which is a milestone in the norm-setting process.

"For the purposes of this convention the expression 'national minority' refers to a group of persons in a state who

- reside on the territory on that state and are citizens thereof,
- maintain long standing, firm and lasting ties with that state,
- display distinctive ethnic, cultural, religious or linguistic characteristics,
- are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state,
- are motivated by a concern to preserve together that which constitutes their common identity, including their culture, their traditions, their religion or their language.<sup>85</sup>

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<sup>83</sup> <http://www.coe.fr/eng/legaltxt/148e.htm>

<sup>84</sup> [http://www.unhchr.ch/html/menu3/b/d\\_minory.htm](http://www.unhchr.ch/html/menu3/b/d_minory.htm)

<sup>85</sup> <http://stars.coe.fr/ta/ta93/erec1201.htm>

*The Central European Initiative Instrument for the Protection of Minority Rights*<sup>86</sup>

(Budapest, 15 November 1994) also uses a combined formula from Recommendation 1134, the European Charter for Regional or Minority Languages, and Recommendation 1201. "For the purpose of this Instrument the term 'national minority' shall mean a group that is smaller in number than the rest of the population of a State, whose members being nationals of that State, have ethnical, religious or linguistic features different from those of the rest of the population, and are guided by the will to safeguard their culture, traditions, religion and language."<sup>87</sup>

The *Framework Convention for the Protection of National Minorities* issued by the Council of Europe (Strasbourg, 1 February 1995) states that "the upheavals of European history have shown that the protection of national minorities is essential to stability, democratic security and peace in this continent."<sup>88</sup> This is why the document declares: "The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation."<sup>89</sup> This document repeats the formula "persons belonging to ..." which implies the individual level. But it also uses the formula *national minorities* although the convention does not define the meaning of this term.

The *Recommendation 1255* (1995) on the protection of the rights of national

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<sup>86</sup> <http://www.htmh.hu/dokumentumok/ceidoc.htm>

<sup>87</sup> <http://www.htmh.hu/dokumentumok/ceidoc.htm>

<sup>88</sup> <http://www.coe.fr/eng/legaltxt/157e.htm>

<sup>89</sup> <http://www.coe.fr/eng/legaltxt/157e.htm>

minorities of the Parliamentary Assembly of the Council of Europe returns to the definition issue. "The Assembly now confirms the principles listed in its Recommendation 1201 (1993) and the additional protocol it then proposed, in particular the definition of a 'national minority'".<sup>90</sup> The reason is the dissatisfaction with the Framework Convention for the Protection of National Minorities. "The convention is weakly worded. It formulates a number of vaguely defined objectives and principles, the observation of which will be an obligation of the contracting states but not a right which individuals may invoke. Its implementation machinery is feeble and there is a danger that, in fact, the monitoring procedures may be left entirely to the governments."<sup>91</sup> The suggested solution is "that the framework convention be complemented by an additional protocol to the European Convention on Human Rights setting out clearly defined rights which individuals may invoke before independent judiciary organs."<sup>92</sup> For these organs the suggested institutions are the European Commission, the European Court of Human Rights and the European Charter for Regional or Minority Languages.

The *Recommendation 1255* (1995) shows another difficulty of the standard-setting process, which is giving the documents legal force. These documents have to be signed and ratified by a definite number of members of the Council of Europe. As the recommendation states: "The Assembly is not only concerned about the small number of ratifications of the charter until now but also about the way in which it is to be applied. In

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<sup>90</sup> <http://stars.coe.fr/ta/ta95/erec1255.htm>

<sup>91</sup> <http://stars.coe.fr/ta/ta95/erec1255.htm>

<sup>92</sup> <http://stars.coe.fr/ta/ta95/erec1255.htm>

fact, contracting states have a large choice of rights among which to choose and they should indicate to which minority or minorities these rights apply."<sup>93</sup> The standard-setting process faces problems of reconciling the different interests of the participants and also the signature and ratification of the same states.

*Parliamentary Assembly Order No. 513* (1996) of the Council of Europe on the rights of national minorities also expresses the concerns of the assembly regarding the slow movement on the minority issue. "The Assembly also instructs its competent committees (Political Affairs Committee, Committee on Legal Affairs and Human Rights and Committee on Relations with European Non-Member Countries) ... to continue taking into account the draft for an additional protocol to the European Convention on Human Rights on the rights of national minorities, included in Recommendation 1201 (1993),"<sup>94</sup>

*Recommendation 1285* (1996) on the rights of national minorities of the Parliamentary Assembly of the Council of Europe shows the powerlessness of the assembly: "Once more the Assembly stresses the great importance it attaches to the effective protection of the rights of national minorities in Europe."<sup>95</sup> This document gives some sense of the difficulties the standard-setting process is facing: "The European Charter for Regional or Minority Languages has been ratified by Finland, Hungary and Norway, ... The Framework Convention for the Protection of National Minorities has

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<sup>93</sup> <http://stars.coe.fr/ta/ta95/erec1255.htm>

<sup>94</sup> <http://www.htmh.hu/dokumentumok/ord513.htm>

<sup>95</sup> <http://stars.coe.fr/ta/ta96/erec1285.htm>

been ratified by Hungary, Romania, Slovakia and Spain, ... Respectively five and twelve ratifications are necessary for these conventions to enter into force."<sup>96</sup> Without the willingness of the member states of the Council of Europe to make the document legally binding, these regulations will never enter into force.

*Recommendation 1300* (1996) on the protection of the rights of minorities of the Parliamentary Assembly of the Council of Europe confirmed its will to continue efforts regarding the additional protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning persons belonging to national minorities based on Recommendation 1201 (1993). It also recognized that an insufficient number of the states had signed and ratified the related documents.

*Recommendation 1345* (1997) on the protection of national minorities of the Parliamentary Assembly of the Council of Europe again drew attention to the ineffectiveness of the institutions: "The Organization for Security and Co-operation in Europe (OSCE) has adopted important political declarations of intent and has established, as an instrument of conflict prevention, the Office of High Commissioner on National Minorities. However, its standards – set by unanimity – are not legally binding."<sup>97</sup> This is additional efforts are necessary to get effective, workable instruments, which have already been written although they are not "enforced". "The Council of Europe, at the Assembly's initiative, has prepared legally binding instruments, notably the Framework Convention for the Protection of National Minorities and the European Charter for Regional or

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<sup>96</sup> <http://stars.coe.fr/ta/ta96/erec1285.htm>

<sup>97</sup> <http://stars.coe.fr/ta/ta97/erec1345.htm>

Minority Languages. Yet, neither instrument has entered into force so far because of an insufficient number of ratifications."<sup>98</sup>

The standards setting process for the protection of the national minorities is complicated by the un-clear definitions of the issue. The vague definitions reflect the political and ideological differences of the participating states. Reconciling the interests requires very skilled mediators and great political will. The reviewed norm setting process clearly showed the lack of - at least - one of these elements. Consequently, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, as well as the Office of High Commissioner on National Minorities (OSCE) are not effective tools. These tools must be made effective, but other tools, must also be found. Bilateral and regional treaties can serve as examples of more effective, legally binding documents.

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<sup>98</sup> <http://stars.coe.fr/ta/ta97/erec1345.htm>





## II. THE HUNGARIAN FOREIGN POLICY

This chapter examines Hungarian foreign policy in the last ten years. For a small Central European country with limited resources, integration in the European (and world) environment is essential because of the need to surmount the constraints created by existing conditions. It is also essential for the pursuing of a "nation policy" for a state which contains only two-third of the ethnicity of the "mother nation". It is also vitally interesting from the viewpoint of the transition and reorientation of a state from a former "Communist bloc" which actually lost almost its whole system of economic, political and security relations in the great transition process of the Central and Eastern European region in the late 1980's and early 1990's.

The chapter also argues that all the elements of Hungarian foreign policy are interrelated and interdependent. The sophisticated system can be simplified and made understandable by concentrating on the basic pillars of this policy. Examining these basic pillars, the chapter describes a success story for the Hungarian foreign policy based on a national consensus in the 1990's. This success required clearly defined objectives and appropriate actions. The internal political battles and the changing composition of the Parliament and the governing coalitions affected the pursuit of this policy, and sometimes changed areas of emphasis and the tactics of this policy; but the basic objectives were constant and made Hungary a reliable and accountable partner in international relations.

Examining the foreign policy of a state in a historical perspective informs us about

that state's evaluation of the conditions in which it provides its foreign policy. This information also contains the understanding of the international environment as well as the actions provided by the examined government in its attempts to find adequate answers for the challenges.

The examination of a historically short - ten-year - period might be seen as an "unhistorical" approach. Nevertheless, the last decade in the Central European region can be seen as an introduction of a new historical era, so it is useful to examine it as a separate historical period. Moreover, the changes in that region have affected the security map of the whole of Europe and the world.

For Hungary the 1990's were the years of regime change or reorientation. The regime change affected the whole spectrum of political, economic, ideological, and social life of the states formerly called satellite states of the Soviet Union, or states of the Communist bloc. The organizations within that bloc, the Warsaw Treaty Organization, and the Council of Mutual Economic Assistance (COMECON) had dissolved in the historical changes. The Western analogous organizations have survived the changes because of the continuity of their member states' policy, including political regime, ideology, economic relationships, etc. The regime-changing societies have found themselves in a drastically changed environment and have started to adapt to the new conditions.

They had caused and forced the changes, on one hand, and have found it necessary to adapt to them, on the other. As initiators and participants in these changes, Hungary, Poland, and the Czech and Slovak Republic very early after the transition announced their

willingness to join the existing and well functioning organizations. The Western nations supported the changes and, moreover, initiated deeper changes, with a view to reaching a point at which the changes would become irreversible. However, they were not ready to open the door of their organizations to the "new democracies." For this reason, the 1990's can be characterized by a definite Central and Eastern European willingness to join the "Western club", and a cautious Western encouragement of the Eastern states in this regard. Later this policy changed, and led to a process of enlargement of the Western and West European institutions. Central and Eastern European states had been waiting for seven to eight years for the Western states to articulate clear conditions for the enlargement of NATO and the European Union.

The process from 1990 to 1996 was a great challenge not only for the Eastern nations, but also for the Western and Western European organizations also. Both NATO and the European Union had to re-evaluate their mission and decide about their future in the changed environment. Both NATO and the European Union found their strategy of adaptation. One element of this strategy has been the enlargement of these organizations, but on the basis of clear requirements. Both NATO and the European Union had to clarify the basis for cooperation, and to formulate their "requirement lists" for the "newcomers." The process reached its end in 1996. The next year brought the first openly announced invitations from both NATO and the European Union.

To meet the requirements of the European institutions has become a priority of the highest significance in the integration policy of the new democracies. They may have had different reasons for seeking to join NATO and the EU, but the result is the policy that

they pursued, and that can be described as an adaptation process to Western standards. This changed their behavior. These societies and states in the region recall their predecessor states only in their names and national symbols. The changes are fascinating.

All of these states - despite their similarities - are different in their historical past, in their performance of the regime change, and with respect to some specific conditions. Hungary is one of the leading states in the region in the restructuring of its political, economic and social life. A special Hungarian issue that has affected the Hungarian regime change, is the minority question, which is rooted in the historical past. For the Hungarian state this question is the so-called nation policy, which has to take into account the ethnic Hungarians living in the neighboring countries. Because of the thunderous history of the Hungarian nation about one third of the nation lives in other states, mostly neighboring with Hungary. This situation causes a specific Hungarian sensitivity for their fate, and this in turn affects Hungarian policy. From a point of view of strategic culture it is a crucial point for understanding the Hungarian policy.

Hungarian foreign policy has had three inter-related objectives<sup>99</sup> since 1990<sup>100</sup>.

One of them has been the minority issue.<sup>101</sup> The two others have been Euro-Atlantic

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<sup>99</sup> A hivatalba lépő kormány 1990-ben is és 94-ben is az ország euroatlanti integrálódását, a szomszédokkal való kiegyensúlyozott kapcsolatokat és a határon túli magyarság támogatását tűzte célul. (The government taking office sought the Euro-atlantic integration of the country, balanced relations with the neighbors, and support the ethnic Hungarians living abroad both in 1990 and 1994.) Laszlo Kovacs {Foreign Minister 1994-1998} speech on the party conference of the HSP, March 7, 1998 (translated by author)

<sup>100</sup> The Government accepts and will continue to support the national consensus on the three main points of Hungary's foreign policy: Euro-Atlantic integration, a policy of warm relations with neighboring states to guarantee regional stability, and a national policy that includes the support for [ethnic] Hungarians in neighboring countries. Government Program 1998.

<sup>101</sup> The Hungarian term for what Americans call "ethnic minority" or "ethnic Hungarians" (in our context) is the Hungarian minorities abroad, or Hungarians living abroad, or Hungarians beyond the borders.

integration and the maintenance of good relations with bordering countries. Since the "regime change" in 1990 there have been three governments in Hungary. All of them acknowledged these three objectives in their foreign policies, but the implementation and the relative importance of these elements in foreign policy have allowed great scope for internal political battles.

#### **A. EURO-ATLANTIC INTEGRATION<sup>102</sup>**

The Cold War divided Europe, and created different forms of cooperation. Only one form of cooperation could collect almost all states in the old continent - the CSCE (later, the OSCE). In the Western part of Europe NATO and the Common Market (later the European Community, later the European Union) had been established. In the Eastern part of Europe the parallel organizations were the Warsaw Treaty Organization and the Council of Mutual Economic Assistance. The disintegration of the "socialist world system" led to the dissolution of these organizations. The regime change logically led to the reorientation of Hungary's foreign policy.

The collapse of the whole previous system of economic, political and military relations placed the countries of Central and Eastern Europe in a gray zone, often called a "security vacuum." The West, in contrast with the East, did not collapse. While the East disintegrated, the West integrated. The integration process of the Western states raised the

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<sup>102</sup> Hungarian foreign policy has right from the start considered the European and Euro-Atlantic organizations - that is, OSCE, the European Union, NATO, the Western European Union, the Council of Europe and OECD - as parts of one and the same united system, as mutually complementing and reinforcing components of that structure, and has therefore set the goal of fulfilling the criteria of and thus achieving full membership in all these institutions. (Ministry of Foreign Affairs, <http://www.mfa.gov.hu/sajtoanyag/sajele11.htm>)

risk of the "marginalization" or "peripherization" of the countries excluded from that process. Western institutions and economic performance have shown stability. The West had everything the Eastern countries needed: long experience in democratic practice; successful economies; higher living standards; free resources for investment; and all the advantages of well-functioning political, economic and military cooperation.

The Eastern nations had chosen a "regime change," a reorientation, which meant a change in ideology in a broader sense of the word. As a consequence, the changing societies sought closer relations with the Western nations. The regime change meant a forced restructuring. Victor Orban, the Prime Minister of Hungary, summarized the objectives of the regime change, as follows: "What did the change of regime set itself as a goal in 1990? Firstly, institutional and constitutional changes, that is the institutionalization of political freedoms; secondly, the building of a market economy and the creation of relevant terms and conditions; thirdly, a change of elite. And the change of regime had a fourth, intellectual and cultural objective, the rehabilitation of the nation: the rehabilitation of nation-centered thinking, national self-interest, national culture, and national heritage."<sup>103</sup>

The Hungarian political parties in the late 1980's agreed upon the reorientation as a main policy objective. Hungary had to master its problems, create favorable conditions for mutually advantageous cooperation, and demonstrate the genuine intention of the Hungarians to pursue reorientation to avoid being excluded from the main European

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<sup>103</sup> Modos, Peter: *An Interview with Prime Minister Viktor Orbán* Journal Europai Utas (Part 1, October 28, 1998) <http://www.hungaryemb.org/Interview.htm>

processes of interest to Budapest. Hungary was determined to avoid "peripherization": that is, getting out of the mainstream of development. These efforts meant reorientation in the political structure, including constitutional and institutional changes. The constitution was approved by the parliament in 1989, and that created the conditions for free elections on a multiparty basis. The constitution also created a basis for privatization, private entrepreneurship, and the market economy. The first free election was held in March 1990, as a result of which the Hungarian Democratic Forum (HDF) won the right to form a government. Budapest's foreign policy had as its assignment to create favorable international conditions: to gain international recognition for the Hungarian efforts and to pursue institutionalized relations with the Western community - above all, with the European Community, the Council of Europe, and NATO<sup>104</sup>. The Hungarian political elite had a feeling similar to that which Stephen J. Blank attributes to the US government in a later period: "... the Administration argues that NATO should do for the East what ... the Marshall Plan did for the West, create stability, security, democratic transformation and facilitate the growth of prosperity. Its purposes are purely political, i.e. they comprise facilitating market democracy, stability, military-political integration, and prosperity."<sup>105</sup>

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<sup>104</sup> Hungary is a full member of OSCE.

<sup>105</sup> Stephen J. Blank: The author remarks in his endnote that the idea is written in Stephen A. Cambone, "the Strategic Implications of NATO enlargement," Stephen J. Blank ed., From Madrid to Brussels: Perspectives on NATO Enlargement, Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, 1997, pp. 4-8) p.14



Laszlo Valki<sup>106</sup>, a Hungarian with the Budapest Institute of Strategic Studies, asks the question: "Why did Hungary want so badly to become a member of NATO?" In view of the Hungarian efforts, the question could be widened to include not only NATO, but also the European Union, as well.

First, it is a question of the historical fate of the country. The Eastern institutions did not survive the end of the Cold War, while the Western institutions did. They created a kind of "security community," and they represented political and economic stability. They have been institutionalized forms of cooperation, and they constitute a whole system of international organizations. Belonging to them would allow the Hungarian elite to focus on social and economic progress.

Second, the institutions of the Western part of Europe seem to be indivisible. Governmental officials of the different Hungarian governments viewed it similarly. For example, Deputy State Secretary for Defense of the HDF government (1990-1994) Tibor Toth stated: "Hungary's bid for membership of NATO and the EU is not driven just by security perceptions, it is a part of a modernization policy based on shared values with western democracies."<sup>107</sup>

His successor Istvan Gyarmati, deputy state secretary of the Ministry of Defense

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<sup>106</sup> Laszlo Valki: *Hungary and the Future of European security* in Stephen J. Blank ed., *European Security and NATO Enlargement: A View From Central Europe*, Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, April, 1998

<sup>107</sup> Toth quoted in Laszlo Valki: *Hungary and the Future of European security* in Stephen J. Blank ed., *European Security and NATO Enlargement: A View From Central Europe*, Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, April, 1998

The complete quotation is: "Hungary's bid for membership of NATO and the EU is not driven just by security perceptions, it's a part of a modernization policy based on shared values with Western democracies. In that sense it is not a 'roller coaster' effort to be influenced by the ups and downs of the regional security

(1996-1999) responsible for Euro-Atlantic integration, started with a broader picture, with a broader understanding of the security issue, in his article arguing for NATO enlargement. In his interpretation, there were two factors affecting security conditions for Hungary. They were "the quantity and scale of the security challenges not known before" and the new system of security institutions being established in Europe. Because of these factors "the answers given on the security challenges can be successful only than, if they are based on the comprehensive meaning of security, including political, military, human right, economic, social, environmental, etc, elements." The attempts of Hungary to join NATO and to join the EU are inseparable, because security has a comprehensive meaning. As Gyarmaty concluded: "For Hungary it is a question of historical faith: would it participate as a full member in all of the dimensions: in the economic, political and security dimensions, or got on the periphery it only suffers the European integration."<sup>108</sup>

The Foreign Minister of the HSP-AFD coalition (1994-1998), Laszlo Kovacs, argued that "Hungary wants to join NATO not because it perceives an external threat, nor because it seeks protection from its neighbors, but because it regards integration into the European community, that is, membership in NATO, the European Union, and Western European Union, [as] an indispensable condition of its security, stability, and economic

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environment. It is a steady, across the board integration effort." (source: *Jane's Defense Weekly, Interview*, Volume 25, #6. <http://www.janes.com/company/search/searchset.html>)

<sup>108</sup> source: Gyarmati: *Miert akarunk NATO-tagok lenni?* (Why do we want to become NATO members? <http://www.nepszabadsag.hu/NATO/natotag.htm>) "Magyarország számára történelmi sorskérdés, hogy miként tud integrálódni ebbe a rendszerbe: képes lesz-e teljes jogú tagként részt venni annak valamennyi, gazdasági, politikai, biztonsági dimenziójában, vagy Európa perifériájára szorulva pusztán "elszenvedi" azt." [Translated by author]

development."<sup>109</sup>

Third, the political elite viewed integration in the Western and West European institutions as a determinant of the future positions of Hungary in Europe. With the enlargement of the Western and West European institutions there would be a dividing line in the continent, as a consequence of the European processes. That line will divide the more and the less developed parts of Europe. In this situation it is an elementary interest of Hungary to be on the more developed side of the line, because the price of crossing the line later seems to be too high. Nations that are not involved in the integration process are "outsiders" from the point of view of that process. They can not benefit from the common economic territory and regulations, and they always have to pay for entrance into that territory. They are also excluded from the common programs. They can not participate in the formulation of the conditions for the future continent. The disadvantages stemming from poor evaluation (in this case, with the exclusion from the list of invited nations) is cumulative, because an invitation is a signal for the investments that bring economic progress. In this respect Hungary is a successful nation, invited both to join NATO, and also to start the negotiations about membership in the European Union.

Fourth, the enlargement process of the Western and West European institutions brought great publicity to the nations involved, which can have a positive economic effect because of the increased willingness to invest.

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<sup>109</sup> Kovacs quoted in Laszlo Valki: *Hungary and the Future of European security* in Stephen J. Blank ed., *European Security and NATO Enlargement: A View From Central Europe*, Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, April, 1998

In addition, all the previously mentioned motivations are connected to the external and the internal security of the nation. By becoming a full member of NATO, Hungary gains a higher level of external security in military terms because of the extension of Article 5 protection to Hungary. The opposition to NATO enlargement argued that at the same time Hungary also could become a target of the forces opposing NATO.

Hungary's connection to the Alliance will open ways to connect its armed forces to the integrated command and control systems, to the common air space system, to the pipeline systems, etc. These measures will enhance the security of business life also. The closer cooperation with the EU members has increased economic security in the sense of access to markets both of resources and consumption, to advanced technology, and to financial resources.

All of the governments of the 1990's had a positive attitude to the integration issue - although all of them had their own policy agenda. The coalition led by the Hungarian Democratic Forum (HDF) (1990-1994) pursued an integration policy with a big emphasis on the Hungarian government's obligation to represent the whole Hungarian nation, including the ethnic Hungarians beyond the borders. This government had assumed that the historical connections of Hungary with Western countries created a moral obligation in the West to support the integration of Hungary<sup>110</sup> in these institutions, according to

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Valki uses an interview with Laszlo Kovacs from 1995.

<sup>110</sup> Hungary was the last fortress defending Christian Europe from the Mongols in the thirteenth century, and from the Ottoman Empire in the period from the fifteenth to the seventeenth centuries. The Hungarian revolution in 1956 created an additional moral debt, because the Western nations failed to provide support.

Laszlo Kovacs<sup>111</sup>, who was to become the foreign minister of the next government.

The Hungarian Socialist Party-led coalition (1994-1998) held the opinion that gaining NATO and EU membership was a competition process in which the applicant nations should fulfill requirements. Their political opposition (the HDF and others) stated that the Socialist-Free Democrat government made compromises in its foreign policy, which did not reflect enough sensitivity to the ethnic Hungarians beyond Hungary.

The Young Democrats Hungarian Civic Party-led coalition (in office since 1998) has pursued the integration policy stated in the Government Program: "The Government is deeply and unshakably committed to European integration and the Euro-Atlantic concept."<sup>112</sup> In one of his articles Zsolt Nemeth<sup>113</sup>, vice president and foreign policy expert of the Young Democrats, wrote: "For us enjoying Euro-Atlantic cooperation is not only a process which needs support from the point of view of economic or security policy but is also an unavoidable requirement for the reconstruction of the nation's culture and civilization."<sup>114</sup> The Socialist Laszlo Kovacs<sup>115</sup> proved that such a basis for foreign policy amounts to a return to the HDF's foreign policy in the period 1990-94.

The accession process to NATO started in a sense at the start of the system

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<sup>111</sup> Az Antall-kormány úgy gondolta, hogy Magyarországnak történelmi érdemei és történelmi sérelmei miatt jár a NATO és az EU tagság. ... A mi álláspontunk szerint a csatlakozási követelményeket kell teljesíteni. (The Antall government assumed that NATO and EU memberships are a necessary reward for Hungary because of her historical role and pain. ... According to our [HSP] opinion we should fulfil the requirements.) Laszlo Kovacs {foreign minister 1994-1998} *Speech on the Party Conference of the HSP*, March 7, 1998

<sup>112</sup> Government Program 1998. <http://www.meh.hu>

<sup>113</sup> Vice president and foreign policy expert of FIDESZ recently political undersecretary of the MFA

<sup>114</sup> Németh Zsolt: *Korlátok és mozgástér a magyar külpolitika előtt*

<sup>115</sup> Laszlo Kovacs's *Speech on the Party Conference of the HSP*, March 7, 1998

change. Different sources give different dates for the start of the process.<sup>116</sup> Some sources<sup>117</sup> refer to the first visit of Gyula Horn<sup>118</sup>, then State Secretary for Foreign Affairs, to NATO Parliamentary Assembly in 1988. According to these sources, the Hungarian politician was the first official visitor from the Eastern bloc to NATO<sup>119 120</sup>. Earlier in that 1988-year North Atlantic Assembly (NAA) delegation visited Hungary.

<sup>116</sup> "Appendix B: Chronology of Principal Event:

1988 Februar 28-March 4: The Subcommittee on Eastern Europe of the NAA Political Committee pays the first ever NAA trip to a Warsaw Pact member State, Hungary;

1988 November 14 Hungarian State Secretary for Foreign Affairs Gyula Horn (future prime minister) is first speaker from Warsaw Pact nation to address the NAA, in Hamburg" source: Solomon, B. Gerald: *The NATO Enlargement Debate, 1990-1997: Blessing of Liberty* p. 148.

<sup>117</sup> "And though it is not direct part of Hungarian-NATO relations, the co-operation existing between the Hungarian National Assembly and the parliamentary body of NATO-member countries, the North Atlantic Assembly is definitely worth to be mentioned. And this all the more so since Hungary established its relationship with the Assembly already prior to the change of system, in February 1988. In November 1988, Gyula Horn who was then State Secretary for Foreign Affairs was invited to the plenary meeting of Assembly at Hamburg where he delivered an address to the Political Committee of the Assembly. At the plenary meeting of the Assembly in London which took place in November 1990, the Hungarian National Assembly - along with a number of other parliaments from Central and Eastern Europe - received an associated status in that organization. Since then Hungary has been regularly participating at the meetings of the North Atlantic Assembly with a permanent delegation. " source: *Hungary and NATO: on the road to membership*, <http://www.mfa.gov.hu/NATO/Fact-eng.html>

<sup>118</sup> H.GY: "... Én eléggé ismertem a NATO-nak a működését, hiszen 1988 novemberében részt vettem az Észak-atlanti Közgyűlés hamburgi ülése munkájában, ami azért volt fontos, mert első és egyetlen közép-kelet-európai államtitkárként vettem ott részt, és megismertem a NATO-t." 1999.03.11. MTV 1 - Szabadság tér 06.00, *H-M Szemle: Napi valogatás a magyar sajtóból*, 1999/50. Szám, (Szerkesztette: Kiss Dezső örgy.) 1999. március 12., péntek, <http://www.h-m.hu/szemle/szemle.htm>

<sup>119</sup> 1988. november 15. - Horn Gyula külügyminisztériumi államtitkár felszólalt az Észak-atlanti Közgyűlés Hamburgban tartott ülészakán. A NATO fennállása óta első ízben történt meg, hogy a nyugati katonai szövetség meghívta a Varsói Szerződés egyik tagállamának hivatalos képviselőjét a NATO parlamentjének is nevezett Közgyűlés tanácskozására.

Source: <http://www.mfa.gov.hu/NATO/kronolog.html>

<sup>120</sup> Valki said: "Most parliamentary parties built their foreign policy programs upon accession; moreover, a positive attitude to accession became a part of their legitimacy. The parties saw no other possibility, and neither did the government work out any alternative program." He added an endnote: "Gyula Horn, declared as early as February 1990 that Hungary has to join the political organs of NATO. He did not refer to a full membership yet: the Warsaw Pact still existed." (see Laszlo Valki: *Hungary and the Future of European security* in Stephen J. Blank ed., *European Security and NATO Enlargement: A View From Central Europe*, Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, April, 1998

On February 20, 1990, Gyula Horn announced in an interview<sup>121</sup> that he could imagine Hungary's future in NATO.<sup>122</sup> Next day the leading Hungarian paper, Nepszabadsag published its front news with a title: " Magyar NATO-tagságé a jövő" (The Future is the Hungary's NATO Membership)

In June 1990 Geza Jeszenszky, then Hungarian Foreign Minister, visited NATO Headquarters in Brussels. In July 1990, Jozsef Antall, the first freely elected prime minister visited Brussels, and greeted Manfred Wörner, then Secretary General of NATO, in Budapest in November 1990. (Wörner later returned to Budapest two more times. Later the high level visits became regular.) In the same year Hungary resigned from the military organization of the Warsaw Treaty Organization. In 1991, the Warsaw Treaty Organization ceased to exist. Soon after the regime-changing states of the former Eastern

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<sup>121</sup> (Archív) H. Gy.: A mi megítélésünk szerint arról aligha mondhatna le a jövő demokratikus Európája, hogy legyen egy védelmi kollektív biztonsági rendszere. Ebben az irányban kell elmozdulni, ebben az irányban kell nekünk lépni. Mert azért egy jövő demokratikus Európáját még nagyon sok fenyegetések veszélyeztethetik. Ez egy folyamat lehet, ennek kialakítása, amely folyamatban lépésről lépésre kell előrehaladni. Mire gondolok konkrétan? Mindenekelőtt arra, hogy létre kell hozni egy konzultációs rendszert a két szövetségi rendszer között. Egy olyan konzultációs kapcsolatot, amelynek már vannak előzményei. Hadd utaljak csak az ottawai 23 külügyminiszteri találkozóra. Vagy arra, hogy nekünk, egyes tagállamoknak — és itt Magyarországról van szó elsősorban — már 1987 óta vannak kapcsolataink például az Észak-atlanti Közgyűléssel. Éppen ezért ezeket a kapcsolatokat szorosabbá kell tenni — hangsúlyozom, a politikai kapcsolatokat, ami azt jelentheti, hogy Magyarország vagy bármelyik más ország, varsói szerződésbeli tagállam a jövőben tagja lehetne a NATO egyes politikai konzultációs szervezeteinek, mint például az Észak-atlanti Közgyűlésnek. Emellett megőrizve a varsói szerződésbeli tagságát. De ez a folyamat elvezethet ahhoz is, hogy végül is egy kollektív védelmi biztonsági rendszer jöjjön létre, összeurópai alapon."

1999.03.11. MTV 1 - Szabadság tér 06.00, *H-M Szemle: Napi valogatás a magyar sajtóbol* 1999/50. Szám, (Szerkesztette: Kiss Dezső örgy.) 1999. március 12., péntek, <http://www.h-m.hu/szemle/szemle.htm>

<sup>122</sup> 1990. február 20. - Horn Gyula külügyminiszter - elsőként az akkori Varsói Szerződés vezető politikusai közül - Budapesten kijelentette: "egyáltalán nem kizárt, hogy Magyarország csatlakozni fog a NATO-hoz". Magyarország és a NATO kapcsolatai – az események tükrében <http://www.mfa.gov.hu/NATO/kronolog.html>

On February 20, 1990: Gyula Horn, minister of foreign affairs, - firstly among the leading politicians of the Warsaw Treaty announced in Budapest: "It is not excludable, that Hungary will join NATO." Hungarian NATO relations - in mirror of events. (Hungarian, MFA web page, <http://www.mfa.gov.hu/NATO/kronolog.html>) (translated by author)

bloc announced their desire to join NATO.

In 1990 NATO announced new policies in London. The Heads of State and Government participating in the meeting of the North Atlantic Council issued a document of historical value: the London Declaration. The subtitle of the document is the "Transformed North Atlantic Alliance" (July 1990):

Europe has entered a new, promising era. Central and Eastern Europe is liberating itself. The Soviet Union has embarked on the long journey toward a free society. The walls that once confined people and ideas are collapsing. Europeans are determining their own destiny. They are choosing freedom. They are choosing economic liberty. They are choosing peace. They are choosing a Europe whole and free. As a consequence, this Alliance must and will adapt.<sup>123</sup>

These are encouraging words. The reader can recognize the euphoria of the declaration writers, and the high evaluation of the courage of the Eastern nations. The activity of the former communist countries is recognized. Later in the document appear the key words ("we are no longer adversaries") and a suggestion for a new dialogue and cooperation:

The member states of the North Atlantic Alliance propose to the member states of the Warsaw Treaty Organization a joint declaration in which we solemnly state that we are no longer adversaries and reaffirm our intention to refrain from the threat or use of force against the territorial integrity or political independence of any state, or from acting in any other manner inconsistent with the purposes and principles of the United Nations Charter and with the CSCE Final Act. We invite all other CSCE member states to join us in this commitment to non-aggression.<sup>124</sup>

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<sup>123</sup> The Heads of State and Government participating in the meeting of the North Atlantic Council issued a document having historical value: London Declaration. The subtitle of the document is the "Transformed North Atlantic Alliance" (July 1990).

<sup>124</sup> London Declaration: Transformed North Atlantic Alliance (July 1990).



The next step was the creation of the North Atlantic Cooperation Council (NACC) in Brussels, 20 December 1991:

We, the Foreign Ministers of the North Atlantic Alliance consisting of Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom and the United States, and the Foreign Ministers of Bulgaria, the Czech and Slovak Federal Republic, Estonia, Hungary, Latvia, Lithuania, Poland and Romania, and the Representative of the Soviet Union have gathered in Brussels to develop further the process of regular diplomatic liaison and to build genuine partnership among the North Atlantic Alliance and the countries of Central and Eastern Europe. This inaugural meeting of the North Atlantic Cooperation Council marks an historic step forward in our relationship.<sup>125</sup>

The next step was the launching of the Partnership for Peace program. The Declaration of the Heads of State and Government on the Ministerial Meeting of the North Atlantic Council/ North Atlantic Cooperation Council in 11 January 1994 included the "Partnership for Peace" Invitation:

We reaffirm that the Alliance, as provided for in Article 10 of the Washington Treaty, remains open to the membership of other European states in a position to further the principles of the Treaty and to contribute to the security of the North Atlantic area. We expect and would welcome NATO expansion that would reach to democratic states to our East, as part of an evolutionary process, taking into account political and security developments in the whole of Europe.

We have today launched an immediate and practical programme that will transform the relationship between NATO and participating states. This new programme goes beyond dialogue and cooperation to forge a real partnership - a Partnership for Peace. We therefore invite the other states participating in the NACC and other CSCE countries able and willing to contribute to this programme, to join with us in this partnership. Active

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<sup>125</sup> North Atlantic Council, in Brussels, 20 December 1991: *North Atlantic Cooperation Council Statement On Dialogue, Partnership And Cooperation*.

participation in the Partnership for Peace will play an important role in the evolutionary process of the expansion of NATO.<sup>126</sup>

### **1. Requirements and fulfilling**

The integration policy of the Hungarian governments has been mostly characterized by a very clear message about Budapest's desire to become a member of the "Western European Club". The Hungarian political elite was almost unanimous in this regard. As a consequence, the next significant step in the Hungarian integration policy was to understand the requirements and fulfill them.

In September 1995 Budapest was briefed on the *Study on NATO Enlargement* which defined the criteria for NATO membership. The principles contained democratic reforms, including civilian and democratic control over the military, active participation in PARP (Planning and Review Process) and PfP, acceptance of all the rights and obligations of membership under the Washington Treaty, and developing necessary interoperability. The Berlin meetings of the North Atlantic Council in June 1996 factually repeated the principles:

- active participation in NACC and the Partnership program,
- successful performance of democratic political institutions,
- free market economy,
- respect for human rights,
- good-neighbor relations along the lines of the OSCE principles,
- effective civilian control of the military,
- some minimal degree of military capability and NATO interoperability.

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<sup>126</sup> Declaration of the Heads of State and Government on the Ministerial Meeting of the North Atlantic Council/ North Atlantic Cooperation Council in 11 January 1994. "Partnership for Peace: Invitation"

The integration policy aimed at achieving NATO membership had clear requirements. In November 1995, Hans Binnendijk stated in an NDU-published paper that:

Hungary is also a good candidate for NATO membership but its candidacy still faces three sets of problems. First, unlike Poland and the Czech Republic, Hungary still has unsettled ethnic problems with its neighbors. Second, though it has made progress, it still has much to do to achieve adequate civilian control over its military. And third, if Austria does not join, Hungary would not be contiguous with the rest of NATO. If the first two can be settled, the third can be overcome.<sup>127</sup>

The Hungarian candidacy for inclusion in the first round of enlargement was successfully managed.<sup>128</sup> As Binnendijk suggested, the ethnic problems had to be settled. That was the most sensitive issue for the Hungarian government in office in 1994-1998.

The criteria for the European Union membership were adopted in Copenhagen in 1996, soon after the formulation of NATO enlargement criteria in Berlin. There are four groups of requirements for the new candidates.

The political criteria contain two main groups of questions. The first group of criteria requires democratic political institutions, the second respect for human rights and protection of minorities, with a further division of sub-spheres.

The economic criteria formulate requirements for overall economic development, macroeconomic performance, and structural reforms. In addition within this group of requirements the EU examines candidates' market economy and its capability to

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<sup>127</sup> Binnendijk, Hans: *NATO Enlargement: Sailing between Scylla and Charybdis* INSS Strategic Forum, Number 55, November 1995 (<http://www.ndu.edu/inss/strforum/forum55.html>)

<sup>128</sup> The invitation of new members to join NATO was launched in the Madrid Summit in July 1997.

withstand competitive pressure.

The third group of economic requirements formulates expectations toward candidates' internal markets and their development, as well as expectations toward fiscal conditions, sectors policy, economic and social cohesion, environmental protection, external policies, and financial questions.

The fourth group of requirements examines candidates' administrative capacity to apply *Acquis*.

The Country Report<sup>129</sup> regarding Hungary states:

"Hungary presents the characteristics of a democracy with stable institutions guaranteeing the rule of law, human rights and respect for and protection of minorities."

"Developments in Hungary confirm the conclusion of the Opinion that Hungary fulfils the political Copenhagen criteria. Hungary's institutions continue to function smoothly. Elections have taken place in free and fair conditions and allowed a smooth transfer of power in 1998."

The evaluation of Hungary contains mostly positive remarks. If current trends hold, the first round of EU enlargement (maybe in 2002) may also involve Hungary.

Statistics show some details about Hungarian integration:<sup>130</sup> Diplomatic relations between Hungary and the European Communities were established in August 1988.

The Europe Agreement between Hungary and the EC was signed in Brussels on December 16, 1991.

The full agreement took effect on February 1, 1994, after ratification by the EC

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<sup>129</sup> *Regular Report from the Commission on Hungary's Progress towards Accession*  
[http://www.europa.eu.int/comm/dg1a/enlarge/report\\_11\\_98\\_en/index.htm](http://www.europa.eu.int/comm/dg1a/enlarge/report_11_98_en/index.htm)

<sup>130</sup> source: *Hungary and NATO: on the road to membership*  
<http://www.mfa.gov.hu/sajtoanyag/sajele11.htm>

members and the Hungarian Parliament. This made Hungary an associated country of the European Union, on March 31, 1994.

In October 1990, Hungary was admitted as a full member to the Council of Europe. In 1996, Hungary was admitted to the OECD.

Since March 1994, Hungary has been linked to the European Union by an association agreement, the so-called European Agreement, while in the same year the government also submitted an application for membership.

The Western European Union first offered to Hungary - and a number of other new democracies of Central and Eastern Europe - the status of consultative partner and subsequently, in May 1994, that of associated partner.

In 1995, Hungary assumed the position of Chairman-in-Office of the OSCE.

## **B. THE "GOOD NEIGHBOR" RELATIONS (REGIONAL POLICY)**

The three basic pillars of Hungarian foreign policy are hardly divisible. Good relations with the neighboring countries are not only requirements for NATO and EU integration policy but also preconditions for a successful minority policy. Although the opposing interests are sometimes numerous, the mutual interests seem to be more valuable. In its integration success, Hungary is not interested in excluding its neighbors from the European integration processes because in that case the Hungarian border would become the border of the European Union which makes the connections between the "mother" Hungarian state and the ethnic Hungarians in Romania and Slovakia difficult. The exclusion of those states from the European processes would also mean negative

effects on the ethnic Hungarians in those countries because of the absence of the obligations they would undertake if they joined the European institutions.

Balanced relations with neighbors can provide stability in the region, and this is a prerequisite for participation in the Euro-Atlantic institutions<sup>131</sup>. Because of the Article 5 of the Washington Treaty NATO is not interested in importing of unmanageable tensions. The written requirements for NATO enlargement include this criterion also.

Hungary had regulated its relations with neighboring countries in basic treaties. The basic treaties had been signed with Ukraine in 1993, with Slovakia<sup>132</sup> in 1995 and with Romania in 1996<sup>133</sup>.

This thesis emphasizes three issues in these treaties. First, the signatories agreed on the territorial integrity of the states, and on the termination of the territorial disputes. Second, in these treaties the sides committed themselves to support the other side's Euro-Atlantic integration objectives. Third, the sides agreed upon on the minority issue and signed the formula of respecting the basic recommendations of the Council of Europe (that is, Recommendation 1201). The first treaty (with Ukraine) was prepared and signed

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<sup>131</sup> "Hungary has also resolved all outstanding differences with its neighbors. In 1996, Hungary concluded Basic Treaties on Understanding, Cooperation, and Good-Neighborliness with Slovakia and Romania, ending long-standing disputes among those countries." Assistant Secretary for European and Canadian Affairs Marc Grossman Statement submitted for the record, as prepared for a hearing before the Senate Foreign Relations Committee (canceled), October 1997 {remark, the information in the quote is mistaken. The Hungarian Slovak Basic treaty was signed in Macrh 1995)

<sup>132</sup> Despite the treaty's limitations, it does provide a "brake" on Slovak and Hungarian extremism. Regarding EU and NATO integration, Article 6 of the treaty "confirms their identical interests . . . and determination to assist one another in this respect." (Strategic Forum, Number 93, November 1996 Hungary's Near Abroad' Minorities Policy and Bilateral Treaties by Hans Binnendijk and Jeffrey Simon)

<sup>133</sup> "... both countries recognized the need to improve good neighborly relations as a prerequisite for NATO membership" (Strategic Forum, Number 93, November 1996 *Hungary's Near Abroad' Minorities Policy and Bilateral Treaties* by Hans Binnendijk and Jeffrey Simon)

by the HDF government, the other two by the HSP government. The two last were strongly criticized by the opposition in the parliament at home<sup>134</sup>, and - at the same time - received very strong support from abroad.<sup>135</sup>

Hungary has regulated relations with its neighbors. It has diplomatic relations with all of its seven neighbors.<sup>136</sup>

Diplomatic relations with the Republic of Austria were re-established on 14 March 1947 on the level of diplomatic legation and raised to ambassadorial level on 1 November 1964. Beside its embassy in Vienna, Hungary is also represented in eight provinces of the Republic of Austria by honorary consuls. The bilateral cooperation is regulated in four major bilateral agreements. Hungary and Austria participate in the following forms and programs of regional cooperation: Central European Initiative (CEI), Hungarian-Austrian-Slovakian tripartite cooperation, the Alps-Adrian Association, the Hungarian-Austrian bilateral INTERREG<sup>137</sup>-PHARE CBC program.

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<sup>134</sup> Despite the treaty, nationalist opposition remains in both countries. Sandor Lezsák, of Hungary's MDF, terms the treaty another "Trianon." (Strategic Forum Number 93, November 1996 *Hungary's 'Near Abroad' Minorities Policy and Bilateral Treaties* by Hans Binnendijk and Jeffrey Simon)

<sup>135</sup> "In choosing Hungary, NATO recognizes your great progress in building democracy, opening your economy, settling disputes with your neighbors, modernizing your military and contributing to European stability." (*Remarks of Secretary of Defense William S. Cohen to the Hungarian Parliament on NATO enlargement*, Budapest, July 10, 1997)

<sup>136</sup> source: Bilateral relations: <http://www.mfa.gov.hu/bilatera.htm>

<sup>137</sup> The programme is a European Union Structural Fund Community Initiative to stimulate co-operation across the boarder regions of the Member States, with the aim of reducing economic, social and cultural differences on either side. This programme focuses on developing the economy of the two regions and aims to maximise the opportunities which arise from the joint region's geographical position close to the centre of the European market, to take advantage of the coming into operation of the Channel Tunnel, and at the same time to minimise the drawbacks, relating to the redistribution of cross-Channel traffic, of this new position at the centre of the triangle formed by the three capital cities of Paris, London and Brussels. <http://www.cant.ac.uk/bdu/interreg.htm>

Diplomatic relations with Republic of Croatia were established on the ambassadorial level on 16 January 1992. There is a Hungarian embassy in Zagreb. The bilateral cooperation is regulated in three major bilateral agreements.

Diplomatic relations with the Federal Republic of Yugoslavia (FRY) were established on 25 September 1946; they were re-established on the ambassadorial level with the FRY on 15 August 1996. There is a Hungarian embassy in Belgrade. The bilateral cooperation is regulated in two major bilateral agreements.

Hungary has regulated diplomatic relations with Romania. Beyond the basic treaty signed in 1996 between Hungary and Romania the bilateral cooperation is regulated in numerous bilateral agreements.<sup>138</sup> The NATO enlargement process (and the internal changes in Romania) has had positive effects on the bilateral relations. Laszlo Kovacs summarized: "Many have expressed concern that if Hungary is invited to join NATO and Romania is not, this could cause a break in bilateral relations. Members of the former Romanian government expressed such a position. Contrary to that, after the Madrid decision the important breakthrough in Hungarian-Romanian relations developed even further."<sup>139</sup>

Diplomatic relations with Ukraine were established on 3 December 1991, before the dissolution of the Soviet Union. The Hungarian Consulate in Kiev became the Hungarian Embassy. Ukraine opened its embassy in 26 March 1992 in Budapest.

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<sup>138</sup> The web page of the MFA does not have information about the bilateral Hungarian Romanian relations.

<sup>139</sup> source: 1998/1 (Press Conference, Budapest, January 7, 1998)

(<http://www.mfa.gov.hu/sajtoanyag/sajto50.htm>)



Hungary also has a Consulate in Uzhorod. The bilateral cooperation regulated in 22 bilateral agreements.

Diplomatic relations with the Republic of Slovakia were established on 1 January 1993, upon the dissolution of the Czech and Slovak Federal Republic. That is when the Hungarian embassy opened in Bratislava, capital of the new Slovak State. Besides the basic treaty<sup>140</sup> (signed on 19 March 1995), the bilateral cooperation is regulated in eight major bilateral agreements.

At a press conference in January 1998, evaluating Hungarian foreign policy in 1997 and describing the difficulties of the bilateral relations with the Meciar-led Slovakia, Laszlo Kovacs, the Hungarian minister of foreign affairs, said. "As far as Hungarian-Slovak relations are concerned, last year we failed to reach our goals. We started to implement a number of the provisions of the Basic Treaty, but we did not manage to implement its other provisions, like the provision for the rights of the minorities. We were not able to set up the bilateral mixed committees, because the Slovak government had not settled the issue of the representation of minorities in the committee."<sup>141</sup>

Hungary and the Republic of Slovakia co-operate in three regional organizations: the Central European Initiative, the Central European Free Trade Association, and the Hungarian-Austrian-Slovak trilateral framework. Sub-regional co-operation has also

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<sup>140</sup> source: *Hungary and NATO: on the road to membership*  
<http://www.mfa.gov.hu/sajtoanyag/sajele11.htm>

<sup>141</sup> source: 1998/1 (*Press Conference*, Budapest, January 7, 1998)  
<http://www.mfa.gov.hu/sajtoanyag/sajto50.htm>

taken place - with varying success - between regions and municipal authorities. Some of them are the Sub-Carpathian Council on Inter-regional Co-operation, the Hungarian-Austrian-Slovak cross-border co-operation initiative, and the working association of provinces lying along the River Danube.

The success of Hungarian integration policy increased the international weight of Hungarian diplomacy. Nevertheless, it did not change Hungarian attitudes toward bilateral connections. As the Hungarian foreign minister said: "The newly acquired international weight of Hungary certainly does not mean that Hungary could or would change the loudness or the tone of her voice in her bilateral relations. The growing international weight is an objective factor. At the same time, Hungary has set a precedent that if a country is prepared and able to meet the criteria of membership in NATO and the European Union, then this country will receive an invitation. That might and I hope will encourage the Slovak government to follow the same path."<sup>142</sup> The moderate tone used in the interview should be maintained for further successful cooperation with neighbors.

### C. THE MINORITY QUESTION IN THE HUNGARIAN FOREIGN POLICY

With the regime change in 1990, the minority issue became a more prominent element of Hungarian foreign policy<sup>143</sup>. Ethnic Hungarians survived a wave of repression in Timisoara Romania in 1990; and in fact that event led to the ignition of the Romanian

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<sup>142</sup> source: *Hungary and NATO: on the road to membership*  
<http://www.mfa.gov.hu/sajtoanyag/sajtele11.htm>

<sup>143</sup> One of the reasons for this could be the high representation of the refugees in the intellectual opposition what later became the party of HDF which won the election and created a government in 1990. As a matter of fact, there were a huge number of refugees in Hungary, escaped from the Ceausescu regime in 1989-90.

revolution. The oppressed Calvinist bishop Laszlo Tokes and the writer Andras Suto became heroes, and their destiny forced Hungary to pay attention on the minority issue. The extremist wing of the HDF openly demanded the revision of the Trianon and Paris peace agreements. The Hungarian government reorganized the World Association of Hungarians<sup>144</sup> and opened an office dealing with questions relating to the ethnic Hungarians living abroad. This office has served to maintain relations with the cultural and political organizations of the ethnic Hungarian minorities throughout the world. It also financed organizations of the ethnic Hungarians abroad. (A parallel institution was established to perform similar tasks for the non-Hungarian minorities living in Hungary.) The government opened and financed - through the World Association of Hungarians - a new satellite TV station, the Duna Televizio for reaching the whole Hungarian nation - that is, all Hungarians, whether citizens of Hungary or not -in the Carpathian basin.

The HDF government confronted with the Slovak and the Romanian governments on the minority issue. The HSP government - forced by the EU and NATO - could conclude and sign the basic treaties. The Hungarians beyond the national borders heavily criticized the agreements. The "domestic" opposition of the HSP spoke about surrendering the national interests. The HSP argued that the signing of the basic treaty elevated rose the international authority of the Hungarian state, and this made Hungary able to fight more effectively for Hungarian interests, including the interests of Hungarians beyond the borders.

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<sup>144</sup> It was at the Third World Congress organized by the World Association of Hungarians that Prime Minister Jozsef Antall made his speech in which he wished "in spirit" to be Prime Minister for 15 million

The new government in 1998 declared its intention to give the national agenda a higher priority than their predecessors did. Nevertheless, the FIDESZ announcement uses a moderate tone: "Next Hungarian government staying on its former position, assumes, that ethnic Hungarian minority living in Romania and ethnic Romanian minority living in Hungary should be represented by their legitimate minority organizations. In Romania this organization is the Democratic Alliance of Hungarians in Romania (DAHR) and in Hungary this organization is the Romanian Minority Self-Government."<sup>145</sup> But the conditions are different in 1998-99 than they were in 1993-1997. The basic treaties are already signed, Hungary was invited to join NATO in 1997 and achieved membership in 1999, while Slovakia and Romania have not yet been invited. The ethnic Hungarian parties have been included in the governing coalitions in both countries. Hungary and the Hungarian minorities in these countries can help Slovakia and Romania achieve their political aim - that is, to join NATO and the EU. In the current historical context, thereby the minorities connect Hungary and these two nations instead of separating them.

Hungary's NATO membership and invitation to start negotiations to join EU should not have a harmful effect on Hungarian foreign policy, particularly on its minority policy. Laszlo Kovacs formulated this idea in his interview: "I consider it very important that Hungary's invitation to join in the first round has not resulted in a deterioration in the plight of the Hungarian minority living in the neighboring countries. On the contrary, the

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Hungarians, a statement which brought accusations of revanchism. (WRITENET Country Papers, *Ethnic Hungarian Minorities in Central and Eastern Europe* (June 1996) By Julian Duplain

<sup>145</sup> "A leendő magyar kormány tartva magát korábbi álláspontjához, úgy véli, hogy a Romániában élő magyar, illetve a Magyarországon élő román kisebbségek érdekeinek képviselőit a két országban működő legitim kisebbségi szervezetek az illetékesek. Romániában ez az RMDSZ, Magyarországon az Országos

growing international weight and importance of Hungary is beneficial for them as well. The invitation of Hungary to NATO and the EU offers encouragement to the neighboring countries, since it demonstrates that it is important, necessary and it is worth meeting the criteria of accession, including compliance with the European norms of human and minority rights."<sup>146</sup>

Hungarian policy received encouragement from the international community. In 1999 Hungary is recognized as a frontrunner among the new democracies. The foreign policy success is based on internal policy, or the success in regime change. This success is not only an opportunity but also a great responsibility. Western nations will examine the new members' performance both in the EU and NATO. A poor performance could cause a slow down in further expansions.

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Román Kisebbségi Önkormányzat." (Zsolt Nemeth, vice president of FIDESZ, May, 1998) [Translation by the author] <http://hungaryemb.ines.ro/hu/declaratie.html>

<sup>146</sup> 1998/1 (*Press Conference*, Budapest, January 7, 1998) (<http://www.mfa.gov.hu/sajtoanyag/sajto50.htm>)

#### IV. ETHNIC HUNGARIANS AND NATO ENLARGEMENT

Ethnic Hungarians live on both sides of Hungary's state borders, with substantial Hungarian minorities in neighboring countries as a result of the Trianon<sup>147</sup> treaty after World War I.<sup>148</sup> This chapter examines the two most numerous ethnic Hungarian groups beyond the borders, the ethnic Hungarian minorities in Slovakia and Romania. These ethnic Hungarian communities are significant groups both in the sense of their weight within the population and in their strong feeling of identity. Long historical ties, common language, and culture connect these groups to the "mother nation" living in Hungary. The common borders of these states with Hungary can provide conditions to cultivate these connections. However, these borders separate nation states ruled by elites having different national identities. The citizens of states in Central and Eastern Europe have dual identities: they are citizens and also representatives of their ethnicity. The problem appears if the citizenship-led *national identity* and the ethnicity-led *national identity* are different. In both Slovakia and Romania there are ethnic Hungarian Slovakian citizens and ethnic Hungarian Romanian citizens respectively. This double identity creates a triangle among the governing elite, the ethnic Hungarians, and Hungary. Analyzing the Slovakian and Romanian cases, this chapter examines interrelations within the triangle. It

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<sup>147</sup> Trianon is a palace in Versailles, near Paris. After World War I, the former belligents met in Paris to define a peace and decide the future of Europe. Trianon was the name given to the treaty affecting Hungary.

<sup>148</sup> There are about 15 million ethnic Hungarians in the world, of whom 10 million live in Hungary. Approximately 3 million live in the neighboring countries. The two biggest Hungarian communities abroad are in Romania and in Slovakia.

reviews the long road traveled from the early 1990's, a time of confrontation and tensions, to the flourishing cooperation in the end of the decade. It argues that the NATO enlargement process played a significant role in harmonizing the interests of the actors of the triangle. By resolving tensions, the NATO enlargement process developed stability in the region.

The Trianon peace agreement caused a great tragedy for Hungary. Hungary lost about two-thirds of its territory and about half of its ethnic Hungarian population. Members of the former ruling class in the territories formerly ruled by Budapest lost their lands, the source of their wealth. They escaped to Hungary and assisted in the formulation of Hungarian policy. The official policy between the First and Second World Wars aimed the return of the lost territory and population. This policy led to a coalition with Nazi Germany, and it determined Hungarian participation in the war and the consequences. The Hungarian policy seemed to be right in its orientation at the end of the 1930's, in that it was intended to regain many of the territories lost in the Trianon agreement. The policy's failure was, however, obvious at the end of the war. The Paris peace agreement after World War II retained the Trianon borders.

In the communist era the question of ethnic (or national) minorities was covered by the ideology of internationalism. After the democratization in 1989-1990, the minority issue reappeared in the post-Cold War period. The first post-Cold War governments both in Hungary and its neighbors consisted of party coalitions that emphasized the national agenda. In other words, the new rulers in Budapest opened a debate about the responsibilities of the Hungarian government. There had been two approaches. According

to one approach, the Hungarian government represents the whole Hungarian nation, including ethnic Hungarians beyond the borders. The supporters of this approach interpreted their success in elections as a mandate of legitimacy to represent the 15 million ethnic Hungarians instead of 10 million Hungarian citizens. Prime Minister Jozsef Antall, in a highly criticized interview, stated that spiritually he considered himself the Prime Minister of 15 million Hungarians. This approach led to close cooperation with the political representatives of the ethnic Hungarian communities beyond the borders, and cold relations with the neighboring Romania and Slovakia. This approach led sometimes to debates about dual citizenship for the members of the ethnic Hungarian communities abroad, including right of participation in elections of the Republic of Hungary. Within the HDF – the governing party from 1990 to 1994 - chauvinist and revanchist opinions toward the Trianon treaty borders appeared.

The other approach was a “liberal” one that stated that the government elected by the citizens of the Republic of Hungary represented only those citizens. According to the “liberal” approach Hungary has responsibility to support the legitimate interests of the ethnic Hungarian communities, but ethnic Hungarians beyond the borders are foreign citizens. This approach allows Hungary to support the protection of ethnic and national minorities as individuals and as communities. Because they are foreign citizens, however, the tool-set of diplomacy should be used to pursue Hungarian political objectives regarding ethnic and national minorities. Hungary can effectively deal with the question of ethnic Hungarians beyond the borders by supporting the unification process of Europe.



This process should lead to the lessening of the importance of the state borders separating ethnic Hungarian communities.

The main foreign policy aim of all the countries in the Central European region was a fundamental reorientation: they sought recognition for their democratization efforts, and membership in the main European and Euro-Atlantic organizations. This placed the European and Euro-Atlantic organizations in a position whereby they could require norms and conditions for the recognition of the "new democracies".

The Western countries first announced the change in their evaluation of these countries ("they are no longer adversaries"), and then prudently broadened the cooperation. The European Union and NATO played a positive role in the stabilization of the region. Although the UN's efforts to halt the war in the former Yugoslavia were not successful, the other conflicts which arose as consequences of the changes in 1989-1991 have been more successfully managed by collective efforts. NATO enlargement had for example, positive effects on the dealing with the issue of ethnic Hungarian minorities in Slovakia and Romania.

## A. MINORITIES IN HUNGARY<sup>149</sup>

Less than 1 percent (0.7%), or about 70 thousand people in a population of 10,709 million, identified themselves as being to an ethnic minority in 1980.<sup>150</sup> Within that 70 thousand, the biggest groups were the ethnic Croats (19,7%), the ethnic Germans (16,1%), the ethnic Romanians (12,6%), and the Gypsies (9,1%).<sup>151</sup> The 1990 census showed a different internal composition of the ethnic minorities living in Hungary.<sup>152</sup> The overall number of people identifying themselves as belonging to an ethnic minority tripled, while the population of Hungary decreased. The overall number reached 213 thousand people, and that represented 2.1% of the population. The biggest groups were the Gypsies (61,3%), the ethnic Germans (13,2%), and the ethnic Croats (5,8%).

In the middle 1990's the minority organizations estimated that almost one tenth of the population (9.4%) could be assumed to belong to an ethnic minority. Among them the biggest groups were the Gypsies (52%), the ethnic Germans (21.8%), followed by the ethnic Slovaks (10,9%) and the ethnic Croats (8.8%).<sup>153</sup>

The National Assembly of Hungary had created the *Act LXXVII of 1993 on the Rights of National and Ethnic Minorities*<sup>154</sup>. The Act declared that Hungary "regards the right to national and ethnic identity as a universal human right, [and] that the special

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<sup>149</sup> The statistical dates see in Report No. J/3670 of the Government of the Republic of Hungary to the National Assembly on the situation of the national and ethnic minorities living in the Republic of Hungary

<sup>150</sup> See Appendix 1 Minorities in Hungary (as a percent of the population)

<sup>151</sup> See Appendix 2 Minorities in Hungary (1980 census)

<sup>152</sup> See Appendix 3 Minorities in Hungary (1990 census)

<sup>153</sup> Source: Report No. J/3670 of the Government of the Republic of Hungary to the National Assembly on the situation of the national and ethnic minorities living in the Republic of Hungary

<sup>154</sup> Passed by parliament on 7 July 1993

individual and collective rights of national and ethnic minorities are fundamental rights of freedom which it will respect and enforce”.<sup>155</sup> The Act was intended to establish “institutional basis necessary to ensure that citizens can lead the lives of members of national or ethnic minorities”.<sup>156</sup> The definition of minorities used a “historic census”, and the national or ethnic expression. The definition for minorities was “any ethnic group with a history of at least one century of living in the Republic of Hungary, which represents a numerical minority among the citizens of the state, the members of which are Hungarian citizens, and are distinguished from the rest of the citizens by their own language, culture and traditions, and at the same time demonstrate a sense of belonging together, which is aimed at the preservation of all these, and the expression and protection of the interests of their communities, which have been formed in the course of history.”<sup>157</sup>

One of the distinguishing elements of the Act is its declaration on the self-government issue: “minorities have a constitutional right to establish local and national self-governments,” the basic function of which is “to protect and represent the interests of minorities by performing their duties and exercising their statutory authority.”<sup>158</sup> The Act also established the institution of Ombudsman for National and Ethnic Minority Rights who “shall have the authority to act on issues which fall within the scope of this Act.”

The LXXVII Act regulates individual minority rights; rights of minorities as communities; the government of the minorities, specifying aspects of national minority

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<sup>155</sup> see: Act LXXVII of 1993 [Republic of Hungary]

<sup>156</sup> see: Act LXXVII of 1993 [Republic of Hungary]

<sup>157</sup> see: Act LXXVII of 1993 [Republic of Hungary]

<sup>158</sup> see: Act LXXVII of 1993 [Republic of Hungary]

self-government, including the scope of authority and duties of the national self-government; the institution of local spokesperson for minorities; cultural and educational autonomy of minorities; language use by minorities; and assistance to minorities regarding financial management and property questions. The Act (1993) named 13 ethnic groups "native in Hungary: Bulgarian, Gypsy, Greek, Croatian, Polish, German, Armenian, Romanian, Ruthenian, Serbian, Slovakian, Slovenian, and Ukrainian".<sup>159</sup>

The "*Report No. J/3670 of the Government of the Republic of Hungary to the National Assembly on the situation of the national and ethnic minorities living in the Republic of Hungary*" (1997) made an evaluation of the situation related to minorities. The document includes an unusual characterization of the minorities: "Each one of the indigenous national minorities on the territory of the Republic of Hungary is characterized by a state of being dispersed across the country, dual identity, an advanced state of assimilation, loss of language and a strong sense of belonging - both emotionally and culturally - to the native land, Hungary."<sup>160</sup> According to this report, an indicator of the tendency toward assimilation is the "decline in the minority population speaking its own mother language".<sup>161</sup> The minority groups are, the report indicated, integrated with the Hungarian society: a high percent age of the adult minority population lives in ethnically mixed marriages (40-60%), although the level is differs within different minority groups. The most problematic minority group from a viewpoint of integration

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<sup>159</sup> see: Act LXXVII of 1993 [Republic of Hungary]

<sup>160</sup> see: Report No. J/3670

<sup>161</sup> see: Report No. J/3670

with the society is the Gypsy population. "If current trends continue, in the long term a poorly-educated and marginalized group, which suffers from both poor health and a disproportionate number of the problems characteristic of social deprivation, must be reckoned with."<sup>162</sup>

The language is no longer a distinctive aspect of the minority experience, because "in most minority families ... the Hungarian language has become dominant."<sup>163</sup> This is why the whole scope of the educational institutions should attract more attention to prevent linguistic assimilation, starting with preschool education.

The minority self-government arrangement "presents the minorities with the opportunity to exercise rights which are equivalent to those of territorial autonomy."<sup>164</sup> The government's published report does not speak about the intended effect of the minority self-government idea, although the international message character of the issue is obvious in light of the declared political aims of the ethnic Hungarian parties beyond the borders and the activities of Hungarian diplomacy in international forums. "The local and national self-governments are legitimately elected representative bodies"<sup>165</sup> with rights guaranteed by the law, such as the right of participation, the right to express opinions openly, etc. In 1994-95 792 local minority self-governments were elected. In 1998 the total number reached 1364. The minorities increasingly make use of the

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<sup>162</sup> see: Report No. J/3670

<sup>163</sup> see: Report No. J/3670

<sup>164</sup> see: Report No. J/3670

<sup>165</sup> see: Report No. J/3670

opportunity assured by the law. "The picture of the 'singing, dancing nationality', which was so characteristic of the period of the party state, is on the way out. In many settlements minority public life is experiencing a period of renaissance."<sup>166</sup> The law guarantees financial support from the state budget; and this is a significant element supporting the functioning of minority structures. Hungary also provides training for the minority self-government representatives in the framework of the minority Act. The further task is to find ways to promote more effective cooperation between local governments and local minority governments.

The National Assembly elected the Ombudsman, or parliamentary commissioner for the rights of the national and ethnic minorities, on 6 July 1995, according to the minority act. Within the framework of the legislation and the harmonization of the law to the requirements of the Act on minorities, many new acts were passed by the legislative body, such as modifications of the Act on education, the Act on finances, the Act on radio and television, and the Criminal code. The legislature, however, lacks institutionalized parliamentary representation of the minorities.

Minority education is supported by the Act on education, which stipulates special requirements and prescribes measures such as positive discrimination (sometimes called "affirmative action" in the United States) for the national and ethnic minorities - not only for the "big", but also for the "small minority groups." The implementation covers the creation of institutions, programs, materials, and some special subjects such as history,

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<sup>166</sup> see: Report No. J/3670

which are studied from a minority perspective. It also encompasses the independent cultural institutions of minority groups.

The religious life of the minority groups is also supported by Hungary, based on the assumption that religious communities play a role in the preservation of identity. The government provides a budgetary foundation, as well as property for the practice of the religious faith.

Within the framework of international relations Hungary's ethnic minority policy is progressive and exemplary. It is positive because of the legally binding minority rights in Hungary. These rights include rights of autonomy in the form of self-government, and support minorities not only at the individual level, but also at the community level. Hungary has signed and ratified all the international agreements regarding minorities, including national and ethnic minorities, and fulfills all the requirements of these documents, even when they have not legally come into force because of an insufficient number of signatories. Budapest created a reliable moral basis for its efforts regarding ethnic minority issues in the international arena. The treatment of ethnic minorities in Hungary is exemplary for the whole of Europe. The further development of Hungarian minority policy can be reached by making emphasis on the legislative and legal harmonization, and through improvement in the legal and financial conditions of the minority self- governments, and minority education. The biggest effort should be made regarding the Gypsy people and their communities, notably concerning housing, employment, and anti-discrimination programs.

The principal approach required a public manifestation of the government's commitment to the "equal treatment of the affairs of both the domestic minorities and the Hungarians living in neighboring countries ... [in order to] contribute much to the strengthening of a minority-friendly social environment."<sup>167</sup> The declaration of the *Day of Minorities* (December 18) is a step in this direction. The Prime Minister also established a Minority Prize in this spirit.

The *Office for National and Ethnic Minorities* was set up by Government Decree 34/1990 (August 30, 1990). The document of establishment was amended in 1998 by Government Decree 128/1998 (July 15, 1998). The objective of the government was to create an institution "for the purpose of carrying out state tasks related to the national and ethnic minorities in Hungary."<sup>168</sup> The task included government policy preparation, participation in the legislative process regarding minority issues, government decisions regarding minorities, participation in preparing financial decisions, monitoring public opinion and the press with regard to minorities, and cultivating relations with the mother countries of the national minorities as well as with international organizations.

The *World Association of Hungarians* was established in 1938. Currently it is operating in 52 countries. The association declares that its basic objective is to protect Hungarian's interest, care of national identity, Hungarian language and culture,

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<sup>167</sup> see: Report No. J/3670

<sup>168</sup> Government Decree 34/1990 (August 30, 1990) [Republic of Hungary]



development of relations between Hungarians living in the mother state, in separated parts of the nation and in the Diaspora.<sup>169</sup>

## **B. HUNGARIAN MINORITY IN SLOVAKIA**

In Slovakia there live about 600,000 ethnic Hungarians, about 10% of the population. They are mostly concentrated on the south border of Slovakia, near the Hungarian border. In Slovakia there are three ethnic Hungarian parties: Együttélés (Coexistence), led by the *de facto* political spokesman of the ethnic Hungarian community, Magyar Kereszténydemokrata Mozgalom (MKM, Hungarian Christian-Democratic Movement), and Magyar Polgári Párt (MPP, Hungarian Civic Party).

### **1. Relationship between the Hungarian minority and the Slovakian government**

Czechoslovakia as a state was a creation of the Trianon treaty. The Munich Agreement as of 1938 sealed its dignity: losing sovereignty, and division between other nation states. The Third Reich annexed the Sudeten county, while part of Slovakia was returned to Hungary (Vienna Decisions). After World War II, Czechoslovakia was reestablished. Moreover, it got some additional territory from Hungary, but also lost the Pre-Carpatian territory.

Slovakia, as an independent national state and a subject of international law, first appeared in 1993. It appeared as a small state, smaller than all its neighbor countries. The only comparable sized state is the former "brother", the Czech Republic. Poland and

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<sup>169</sup> see: Magyarok Világszövetsége a nemzet szolgálatában: <http://www.net.hu/mvsz/hirek/>

Ukraine are 6 to 12 time bigger in population and territory, Hungary and Austria about twice.

While the Hungarian minority was about 3% of the population in Czechoslovakia, almost all of them lived near the Hungarian border, in the Slovakian part. With the divorce of the Czechoslovak State, Slovakia inherited almost all of the ethnic Hungarians, which led to two consequences. First, the Hungarian minority in Slovakia appeared as 10 to 12% of the population, in some regions 95-98% Hungarian speakers. Secondly, the bigger proportion of the ethnic Hungarians within the population made them a bigger target for the intensifying Slovak nationalism.

On one hand there can be find logical arguments for the nationalism although disagreeing with these points. On the other hand the impotence of the ruling political elite in coordinating the foreign policy aims and the internal processes is not understandable. If the political aim of the ruling elite and also the nation is to "get closer" to Europe, than the internal processes should be managed according to the "customs" of the region they want to follow.

The state policy of Slovakia had double standards in the 1993-98 period, made famous by its Prime Minister, Meciar. The declared political objective targeted to reach Europe; the pursued political practice neglected European values. The treatment of the minorities was one of the critical issues. The ruling elite started to build a "national state" in the meaning of the nineteenth century of this word.

In Central and Eastern Europe the political formula of a state is simple: political combat between the political left and right forces. The fragile internal political balances

can lead to the creation of "strange" coalitions. On one hand some parties with extremist (nationalistic) rhetoric should be taken in consideration because of the power balance. On the other hand the ethnic population creates political movements and parties according to (ethnic) nationality lines. In addition, these (ethnic) parties can represent different sides of the political map, but they create coalitions because of the defense of ethnic-national interests. But the creation of the coalition for the minority interest strengthens the nationalistic voices from the majority part.

In Slovakia the 1993-1998 period can be characterized as a governing coalition composed of left and nationalistic parties. The overall Central and Eastern European democratization process and the "new" sovereignty resulted in the intensification of the voices first of the political parties representing the minority interest and second the parties representing nationalistic ideas of the majority. Both of the parties saw limitation of sovereignty in their actions and political declarations of the other party. The majority parties used and practiced their parliamentary and lawmaking power, while the minority parties looked for help to the "mother" nation and to the international organizations. The majority representatives stressed the sovereignty ideas of the national state and the minority parties stressed human rights and its specific elements, the rights of minorities. The voices of the political opposition to the majority parties were weak, because the nationalistic voices were loud.

The foreign policy agenda and the domestic policy agenda of the Meciar governments were contradictory. The main foreign policy agenda in Central European post-communist countries was usually the same: finish the reorientation of their countries

and join Western European institutions (and to become a recognized member of the Western democracies) as soon as possible. These institutions were the European Union and NATO. For Slovakia there appeared an additional agenda, as with meet all new nations: to find its own place in the international community, to create conditions for being recognized. The internal policy agenda was the creation of a national state (for the Slovakian nation) based upon on the principle of independence and sovereignty. The foreign policy agenda required the recognition and implementation of the requirements of the European institutions, to meet all the criteria created for membership of those institutions.

The EU and NATO are organizations built on the basis of a clearly defined value system, in which democracy, freedom, and the market economy play key roles. The freedom principle required recognition and implementation to practice freedom of individuals and their communities in political, economic, cultural and religious life. To follow the foreign policy agenda required limitation of sovereignty, and that was the point which contradicted the internal policy.

The differences between the governing coalition and the ethnic Hungarians were twofold: not only on the nationality (ethnicity, and minority) issues, but also on overall policy issues. The political organizations of the Hungarian minority determined themselves as right and central right parties, which had opposing opinions about the main political issues, at variance with the governing coalition. This self-determination had two consequences. On the one hand it made "natural ally" with the same - non-ethnic Hungarian - political thinkers, but it created a "host nation block" coalition against the

coalition based on ethnicity. The first suggestion of the ethnic Hungarians for determination of their position in Slovakia was the idea of the "partner nations," a concept that proposed equal status of the two (Slovak and Hungarian) nations within the Slovakian state borders. In that case -- according to the argument of the ethnic Hungarians -- there would be no question of an ethnic or national minority. If the propounded idea had been accepted, then the ethnic Hungarians would have had a wide range of individual and collective autonomy in Slovakia. The suggestion was refused, and this resulted in the minority status of the ethnic Hungarians. Because of the immaturity of the independent Slovak state, and also because of the historical past, the Slovaks pursued an intensive "nation state" building policy. They argued that the ethnic Hungarians have equal individual rights with the other citizens of Slovakia, so they should be loyal to the host nation. In this logic, there is no place for the additional collective rights of the ethnic communities because any collective interpretation of minority rights would unbalance the state. This policy deepened the differences between the ethnic Hungarians and their fellow citizens. For illustration we can recall three legislative actions, the three more sensitive laws.

The first was the September 1995 Education Law<sup>170</sup>. The main idea of this legislation was the promotion of the Slovak language<sup>171</sup> in all educational institutions,

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<sup>170</sup> Passed into law in September, 1995

<sup>171</sup> "In the coalition deal struck after the September 1994 elections, Vladimir Meciar had given three cabinet seats to SNS deputies. A hard-line Slovak nationalist Eva Slavkovska thus became Minister of Education. On taking office, she pledged to ensure that every village in Slovakia had a Slovak language school, so that ethnic Slovak children would not have to "give up their nationality" in southern Slovakia." Source: Duplain, Julian: *Ethnic Hungarian Minorities in Central and Eastern Europe* (WRITENET June 1996) (<http://www.unhcr.ch/refworld/country/writenet/wrihun.htm>)

from the nurseries to high schools in all places where had been provided exclusively Hungarian education before. According to this law, ethnic Hungarians would be taught in the Slovak language in Slovak schools. There also sounded voices requiring the abolition of state-run ethnic Hungarian schools, in order not to support the educational autonomy of ethnic Hungarians. The ethnic Hungarians opposed this idea because of the warning of the harms on their national identity. They were guided by declarations of the international community (already confirmed by the independent Slovak state) according to national minorities. The Slovaks' plan was a methodical change in the identity of the new generation. Start nursery education on Slovak language instead of Hungarian to promote a new (Slovak) identity of the younger generation. In conditions, when the pertaining to a (ethnic) national community only depends on the personal announcement of an individual, the educated identity seems to be a good tool for the change of the proportion of people assigning themselves to the ethnic minority. Beside the identity change effect, the education law targeted a change in the teacher (professor) staff on the territories mostly inhabited by ethnic Hungarians in Slovakia.

Slovak officials argued that in a Slovak state all citizens have to have the right to get educated on the language of the majority of the state (state language). On the first hand the argument seems to be trivial. Nevertheless the fact that there are more than 400 settlements where the Hungarian population's proportion is higher than 50%, among them settlements where this proportion is higher than 90%, makes this argument weaker. Hungarians stated that the small settlements are unable to maintain parallel educational institutions, so the appearance of the Slovak educators is imaginable only with lessening

the Hungarian educators' staff and that is an attack against their identity. According to the Recommendation 1201 of the Council of Europe, such arrangements amount to a clear violation of that document. That document creates conditions for the defense of the national identity, and upholds the right for "native tongue" education. The Education Law directly neglected *Article 8* of Recommendation 1201.<sup>172</sup> This article states, that

1. Every person belonging to a national minority shall have the right to learn his/her mother tongue and to receive an education in his/her mother tongue at an appropriate number of schools and of state educational and training establishments, located in accordance with the geographical distribution of the minority.
2. The persons belonging to a national minority shall have the right to set up and manage their own schools and educational and training establishments within the framework of the legal system of the state.

The second "battlefield" was the Language Law.<sup>173</sup> The main idea was the exclusive use of the state language in official communications.<sup>174</sup> The ethnic Hungarians assumed that it would have harmful consequences, because of the threat to their identity. Recommendation 1201 encourages "persons belonging to national communities" to use their native tongue in communications with the state in defined conditions. The Language Law directly neglected *Article 7* of Recommendation 1201. The article requires, that

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<sup>172</sup> "As this matter is extremely urgent and one of the most important activities currently under way at the Council of Europe, the Assembly also recommends that the Committee of Ministers speed up its work schedule so that the meeting of Heads of State and Government (Vienna, 8 and 9 October 1993) will be able to adopt a protocol on the rights of minorities and open it for signature on that occasion." From the same document.

<sup>173</sup> Passed into law November 15, 1995

<sup>174</sup> The new law required all official business to be conducted in Slovak, without any explicit provision for minority languages.

1. Every person belonging to a national minority shall have the right freely to use his/her mother tongue in private and in public, both orally and in writing. This right shall also apply to the use of his/her language in publications and in the audiovisual sector.
2. Every person belonging to a national minority shall have the right to use his/her surname and first names in his/her mother tongue and to official recognition of his/her surname and first names.
3. In the regions in which substantial numbers of a national minority are settled, the persons belonging to a national minority shall have the right to use their mother tongue in their contacts with the administrative authorities and in proceedings before the courts and legal authorities.
4. In the regions in which substantial numbers of a national minority are settled, the persons belonging to that minority shall have the right to display in their language local names, signs, inscriptions and other similar information visible to the public. This does not deprive the authorities of their right to display the above-mentioned information in the official language or languages of the state.

The main debate ran around the interpretation of the Recommendation 1201. There can be different arguments. One of them is that the Recommendation 1201 addresses all its requirements to "persons belonging to national minorities" and not communities, so it creates only individual rights instead of collective rights. This was the argument of the Slovak government. Actually the document contains the expression *collective* only one time, in its Article 12:

Nothing in this protocol may be construed as limiting or restricting an individual right of persons belonging to a national minority or **a collective right of a national minority**<sup>175</sup> embodied in the legislation of the Contracting State or in an international agreement to which that state is a party.

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<sup>175</sup> Highlighted by author



The argument of the ethnic Hungarians was that this recommendation created a legal base for their collective rights, because there were documents signed by Slovakia. In 1995 the Council of Europe adopted the Recommendation 1255, although this document also avoided the use of the expression *collective*. The ethnic Hungarians in Slovakia drew attention to the basic treaty between Hungary and Slovakia. The Hungarian government also argued that the agreement is recognition of the Recommendation 1201 and other recommendations:

persons belonging to the Hungarian minority in the Slovak Republic ... shall ... have the right, in conformity with the domestic law and with the international commitments undertaken by the two Contracting Parties, to use their mother tongue in contacts with official authorities, including public administration, and in judicial proceedings, to display in their mother tongue the names of municipalities in which they live, street names and names of other public areas, topographical indications, inscriptions and information in public areas, to register and use their first names and surnames in this language ...<sup>176</sup>

The third battle took place around the Public Administration Law.<sup>177</sup> Before the adoption of this law ethnic Hungarians had a numerical majority in some administrative units near the Hungarian border.<sup>178</sup> Because of that, they required proportional representation in public administration, and territorial autonomy. If they could achieve

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<sup>176</sup> *Treaty on Good-neighbourly Relations and Friendly Co-operation between the Republic of Hungary and the Slovak Republic*

<sup>177</sup> Passed into law March 22, 1996

<sup>178</sup> According to the Coexistence's partner-nation plan the number of settlements where Hungarians comprise at least 50% of the population is 432; where Hungarians comprise less than 50% but at least 10% of the population is 90; and where the Hungarian population comprises less than 10% of the population, but at least 100 persons is 28 including 4 large cities with Hungarian population between 1000-20000. (13)

their purposes, then the local Slovaks would become minorities within Hungarian communities, as some Slovak politicians stated. The international commitments undertaken by the Slovak state also encouraged the minorities to organize the local (territorial) administration according to their proportion within the population.

Recommendation 1201 of the Council of Europe clearly suggests:

In the regions where they are in a majority the persons belonging to a national minority shall have the right to have at their disposal appropriate local or autonomous authorities or to have a special status, matching the specific historical and territorial situation and in accordance with the domestic legislation of the state.

The Slovakian Public Administration Law broke out the Hungarian majority in administrative units, redrawing the borders of the internal administrations. The representatives of the Hungarian minority proposed a different version of the public administration, which could preserve the ethnic proportions. However, the parliamentary majority voted for the proposal of the government. It was again a violation of the international commitments of Slovakia, because of the Article 5 of Recommendation 1201:

Deliberate changes to the demographic composition of the region in which a national minority is settled, to the detriment of that minority, shall be prohibited.

The Meciar-led Slovakian government isolated itself in Europe. The signals from the European institutions and also from Slovakia's neighbor Hungary did not have any effect on the policy affecting ethnic Hungarians. For the ethnic Hungarian minority there remained the opportunity of waiting for a new election. Meanwhile Hungary, Poland, and

the Czech Republic were invited to join NATO. The fact that Slovakia was not included in the list of invitations was a sobering signal for the Slovak population. The Meciar-led Slovakia is not a democracy in the European understanding of democracy. It can not join the communities of democratic nations. NATO did not discriminate against Slovakia for having a socialist government (there were socialist governments in Poland and in Hungary also at that time), but it did discriminate against Slovakia because of the lack of mature democracy. The elections in 1998 changed the rulers in Slovakia. The former opposition -- with the participation of the Coalition of Hungarian parties -- formed a government in October 1998. The participation of the ethnic Hungarians in the parliamentary majority and in the government provides grounds for optimism regarding to the minority issue in Slovakia. NATO membership of Hungary is also a factor, which strengthens optimism. Hungary can provide support for Slovakia in the international arena, which is what Slovakia needs at this moment. Hungary could also slow down (block) Slovakia's invitation. The Slovak nation might then incur a big international disadvantage for a small internal advantage against its ethnic Hungarian minority. The cost-benefit analysis should make for sober solutions, a logic which seems to be favorable for the ethnic Hungarian minority.

## **2. Relationship of the two nation states: Hungary and Slovakia**

The foreign policy targets of Hungary and Slovakia were similar in the 1990's, pursue a reorientation to the West, to join the European institutions, and to get recognition as democracies. That can provide conditions for economic and political development, make the country more attractive for foreign investments, and use the

advantages provided by the great European market, which can receive products from a well-educated and comparatively inexpensive work force. This can maintain favorable conditions for the development of the nation.

The targeted institutions were the European Union and NATO. Hungary and Slovakia were competitors for "limited places" in the club of Western nations and for foreign investments. But, they also had been fellows in their efforts, as the Visegrad<sup>179</sup> cooperation showed.

In the post-Cold War period there had been two issues affecting the inter-governmental cooperation of the two nations. They were the Gabčíkovo-Nagymaros Dam issue and the question of Hungarian minority in Slovakia.

The "Dunasaurus", as the Hungarian environmental activists called the Dam, was planned in the 1970's, and it provisioned a system of power-stations on the Danube river. One power-station was planned in the Czechoslovakian (Slovak) part of the Danube in Gabčíkovo (Hungarians call it Bos) and the other in Hungary, at Nagymaros. The works started in the 1980's and the Czechoslovakian part was finished at the end of the 1980's. The Hungarian Parliament stopped the works and later withdrew from the plan. The Czechoslovak side unilaterally diverted the border-river Danube referring to technical

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<sup>179</sup> "VISEGRAD countries: Poland, Hungary and Czechoslovakia. In November 1991, the European Commission met with the Governments of Poland, Hungary and Czechoslovakia at Visegrad in Hungary and initiated a series of agreements.

Although the Visegrad Agreements do not commit the Community to accepting the three countries as members of the European Union, they marked a significant step in the process and became a basis for the later Association Agreements signed with other Central and Eastern European Countries. The agreements provide for free trade, economic and technical co-operation, financial assistance and the creation of political dialogue. The Agreements incorporate principles of democracy and liberalization and conditionality for the transition to the second stage of accession." <http://www.ecu-notes.org/atoz997/visegrad.html>

details of the service needs of the power station. Hungary argued that the diversion of Danube was a violation of the international law because of the change of the borderline between two sovereign countries, and it also caused a great environmental damage which can be repaired only by returning to the original status of the border-river. (Czech) Slovaks argued that because of the withdrawal of Hungary from the agreement the Hungarians did not construct a barrage construction. In this situation, they can not return to the original status of the river. The two sides brought the issue to the Hague International Court of Justice for arbitration. The resolution of the court in December 1997 required the two sides to negotiate and agree about the water sharing. The negotiations did lead to a draft agreement, but the internal political pressure in Hungary prevented the signature. Meanwhile the Slovak side brought the issue back to the Hague. The elections in 1998 changed the negotiating partners on both sides. There is a big change in the overall political behavior also on both sides. They are looking for compromises and it seems that there is a chance to reach an agreement.

The second issue which had a big effect on the bilateral connections of Hungary and Slovakia, was the situation with the Hungarian minority in Slovakia. The issue can be divided on two aspects: the way to accept the bilateral basic treaty<sup>180</sup> and the after-life of the treaty.

The announcement of the Hungarian prime minister in office that he wished to be "emotionally as well as spiritually" prime minister for 15 million Hungarians caused a lot

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<sup>180</sup> Treaty on Good-neighbourly Relations and Friendly Co-operation between the Republic of Hungary and the Slovak Republic

of tensions with the neighbor countries because the figure 15 millions included the Hungarians also who are living in those countries. In January 1994 the NATO Brussels Summit announced the Partnership for Peace Program. It meant, that nobody had been invited to join the alliance in a very short term from the former Warsaw Pact countries, but that NATO was willing to offer cooperation in military-related issues to all nations willing to participate in this program. These countries also had been encouraged to normalize their bilateral relationships.

In 1994 the elections changed the government in Hungary. The minister of foreign affairs of the last communist government, Gyula Horn, who was also the president of the Hungarian Socialist Party, got the assignment to form a government. According to Julian Duplain<sup>181</sup> the new government had a much more moderate style in foreign policy than its predecessor. The new government pursued a very active foreign policy that aimed to regulate the bilateral relationships in basic treaties as soon as possible. The deadline was very short for the agreement because there was planned an OSCE conference to sign a Stability Pact on good relations in Central and Eastern Europe on 21 March 1995, in Paris. The Horn government radically reduced the financial support of the ethnic Hungarian parties in Slovakia, according to the demand of the Slovakian government. Regarding ethnic Hungarian minority in Slovakia, the Hungarian government supported the idea of the collective rights of the minority. The Slovak government stated that the individual rights of the Slovak citizen ethnic Hungarians meet demands of European

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<sup>181</sup> Duplain, Julian: *Ethnic Hungarian Minorities in Central and Eastern Europe* (WRITENET June 1996) (<http://www.unhcr.ch/refworld/country/writenet/wrihun.htm>)

norms, and the requirement for local autonomy is unacceptable discrimination of the minorities. The Hungarian government fought for the acceptance and placement in the text of the treaty the recommendations of the Council of Europe.

In 1994, when nobody was named for invitation to join NATO, both Hungary and Slovakia were candidates for nomination in the future. Success in the field of foreign policy was desirable for both the Slovak and Hungarian governments. In the first three months of 1995 the two governments sent each other public messages, blaming each other for the unwillingness to reach success. After these public announcements, it was surprising that the two prime ministers signed the text of the basic treaty in Paris, just before the start of the OSCE conference. The treaty regulated the questions of international borders, economic cooperation, border crossings, and minority rights.

The after-life of the treaty has been no less stormy. The Hungarian parliament ratified the treaty in very short time. From the side of the opposition sounded a harsh critique of the government, blaming the rulers for giving away the interests of the ethnic Hungarians. Nevertheless, the certain parliamentary majority of the governing coalition made the ratification easy on 11 June 1995. The Hungarian government assumed for a diplomacy success that the 1201 recommendation of the Council of Europe was placed in the signed treaty. It accounted this formulation as a guarantee for the rights of the ethnic Hungarian minority in Slovakia.

In Slovakia the ratification process went less smoothly. The different government officials one by one announced that Slovakia did not agree in providing collective rights and territorial autonomy for the ethnic Hungarians. One of the officials of the

government, the chairman of the Slovak Parliament, suggested dismissing the treaty because of the provisions of the treaty (as he understood the individual rights of the members of the Hungarian minority) are already granted, so there is no need for ratifying it again. Nevertheless, after long and hot debates the Slovak parliament ratified the treaty almost one year after the Hungarian parliament did so, on 26 March 1996. But the ratification also caused surprise in the international community. The Slovak parliament attached amendments to the treaty which had been signed by the prime ministers. The addenda annulled the inclusion of 1201 Recommendation of the Council of Europe. As the spokesman of the Slovak Ministry of Foreign Affairs stated, there was "no maneuvering space for extremist demands."

The decision of the Slovak parliament created a delicate situation for Hungarian foreign policy. Budapest could state that the valid text of the basic treaty is what the prime ministers in Paris signed, or it could take note of the flawed ratification and denounce the treaty. In 1996 more and more forecasts appeared regarding the upcoming nomination of nations for NATO invitations. The space for maneuvering narrowed for Budapest. Hungary had chosen the first option and announced that the step of the Slovak side with the ratification was inconceivable in international practice. Customary international practice holds a signed agreement, already ratified by one side, is not subject to change or amendment by the other side in the ratification process. The Slovakian amendments touched the core of this agreement: the reference to Recommendation 1201 of the Council of Europe. For Hungary this was the document which made a general definition of national minorities, and their basic rights. With the withdrawal of those



references the Slovakian parliament eliminated the progressive elements of the whole treaty.

### **3. Relationship between Hungarian minority in Slovakia and Hungarian government**

The relationship between the Hungarian government and the representatives of the Hungarian minority in Slovakia always was saturated by party sympathy. The Hungarian government in the 1990-1994 period used rhetoric which had emphasized the "culture" or "historic" nation. This includes in the nation the Hungarian minorities within the borders of neighbor countries. So, the government in this case assumes for its assignment the representation of the Hungarian minorities in the international forums. In this case the representation of the interests of the Hungarian minorities appears as a "mother nation" representation, not as an independent actor of the international policy but something more. Representation of the Hungarian minority is twofold: on one hand it is minority representation, with specific issues of the minority existence, and political representation with political agenda on internal political questions on the other. As a political party this representation has political color.<sup>182</sup> When the political lines of the ethnic Hungarian parties and the ruling government in Hungary are similar, the cooperation is much easier between them (and it seems that there is an effect on the financial support also). If the Hungarian representatives are in the opposition in the internal political arena, the very close cooperation with the Hungarian government makes more difficult the bilateral inter-

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<sup>182</sup> As political party (parties) the representatives of the minorities have political agenda not only on (directly) minority issues.

government cooperation between the neighbor countries. When there are basic political differences between the governing parties of the neighbor countries, the cooperation becomes more difficult. In that situation the close cooperation with one of the opposition parties of the internal political arena can have recognizable negative effects on the inter-government cooperation. The situation since the end of 1998 is extremely favorable: the governing parties (coalitions) have no "ideological" differences in Hungary, Slovakia, and Romania. In these neighbor countries the political representatives of the ethnic Hungarian minority are participants in the governing coalitions.

Summarizing the Slovakian case, the conditions at the end of the 1990's are favorable for the bilateral Hungarian - Slovakian cooperation, and also favorable for the ethnic Hungarian minority within that state. The NATO enlargement process may have encouraged the two states to reach the basic treaty. Hungary's membership in NATO opens a lot of new opportunities for a more favorable bilateral cooperation. The changes caused by the 1998 elections in Slovakia, the politics provided by the new government encourage a faith that the Slovakian Parliament is expected to reverse its earlier actions regarding ethnic Hungarian minority. It seems that only one question requires enormous efforts to decide the Gabčíkovo-Nagymaros Dam. However, the political will for cooperation is strong, stronger than it was ever before. The NATO enlargement process had its positive effect what is a stabilizing role in the Central European region.

## **B. HUNGARIAN MINORITY IN ROMANIA**

The Trianon treaty gave Transilvania to Romania and resulted that there is an ethnic Hungarian minority which numbers about two million people. In Romania, there is

one ethnic Hungarian political organization: Romaniai Magyarok Demokratikus Szovetsege (the Democratic Alliance of Hungarians in Romania). This party is fighting for institutional frameworks to protect the national identity of the ethnic Hungarians. They stated that "The Hungarians of Romania are political subjects and thus a state-forming factor. As such, they are an equal partner of the Romanian nation".<sup>183</sup>

### **1. Relationship between Hungarian minority and Romanian government**

The situation in Romania had a lot of similarities to the situation in Slovakia. Although Romania did not face the question of nation-building, it had many more economic problems. The system change, the restructuring and rebuilding of the society moved a lot of formerly repressed tensions to the surface. The lack of success in economic life easily led to demagoguery, to searching for an enemy. The ethnic Hungarian minority was a big target.

The political attitude of the ethnic Hungarian party toward domestic issues differed from that of the Romanian governing coalition. The underdevelopment of the political culture of the society was an additional complication in handling the ethnic-based opposition.

There were sharpened political tensions among the rulers and the ethnic Hungarians on issues of Educational Law,<sup>184</sup> the Law regarding the use of foreign

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<sup>183</sup> *Cluj (Kolozsvar) Declaration*, October 25, 1992

<sup>184</sup> The educational Law passed in June 1995

national symbols,<sup>185</sup> and some ultra-nationalistic practices of the representatives of extremist nationalist parties.

The ethnic Hungarians assumed that the Educational Law was a clear signal of Romanization and a violation of the rules of the Recommendation 1201 of the Council of Europe. The logic of the law was similar to that of the Slovakian law about education, and aimed at the provision of nation state language educational institutions in the places inhabited by ethnic Hungarians. Not only the logic was similar to the Slovak law, but the effect also: new Romanian teachers could be employ instead of ethnic Hungarians.

The Law regarding the use of foreign national symbols was aimed at the ethnic Hungarian minority. The ethnic Hungarians in Romania used the Hungarian flag and the Hungarian anthem as symbols of representation their national (ethnic) identity. The law restricted the use of the Hungarian flag because that is an official flag of a foreign state. It also restricted to sing the Hungarian national anthem because that is an anthem of a foreign state. These restrictions painfully violated national feelings of the ethnic Hungarian communities and "people belonging to" that communities in Romania.

Both of the laws were clear violations of the 1201 recommendation.

## **2. Relationship of the two nation states: Hungary and Romania**

The foreign political aims of Romania and Hungary were and are the same (as the foreign political aims of Slovakia), the reorientation and the getting the recognition of effort, and being invited to join the European institutions. The first government in Romania (as in Hungary) also emphasized national values. This mutually led to a

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<sup>185</sup> The law passed in September 1995

suspicious climate between Hungary and Romania. The Antall's announcement about his role as the 15 millions' minister sharpened the tensions. Romanian officials blamed Hungary for disturbing the ethnic harmony in Romania. Hungary on its side blamed Romania for not changing its policy toward ethnic Hungarians practiced before in the Ceaucescu regime. In addition, the Hungarian minister of foreign affairs stated that Hungary should not negotiate and agree "over the heads" of the ethnic Hungarian minority there. Romania on its side assumed that this amounted to interference in its internal affairs. The Hungarian government policy made big efforts to participate in the creation of European norms for minority issue. In February 1993 the Council of Europe adopted the Recommendation 1201 on the minority issues. The ethnic Hungarian minority understood this resolution as a positive signal for its efforts. The bilateral inter-government cooperation continued, although they had been pursued in an atmosphere of mutual distrust.

The government change in Hungary in 1994 changed the attitude of the Hungarian government toward the bilateral connections. The opposition parties blamed the Horn government for the devaluation of the minority representation. Meeting the requirement of the Romanian government, the Hungarian government reduced the cross-border funding of the ethnic Hungarian political movement, but also stated that any basic treaty should take into consideration the interests of the ethnic Hungarians in Transylvania.

The Hungarian foreign policy became very active, led by the willingness to sign the basic treaty at the OSCE conference in Paris. Although the positions were narrowed, the treaty was not signed in Paris. Instead, the tensions rose within Transylvania. Because

of the passing of the OSCE conference opportunity without any result, there started a period of sending each other messages. In Romania the lawmakers ruled out special status for any minority in April 1995, for which the Romanian government was criticized by the president of the Parliamentary Assembly of Council of Europe. Romania reacted: First, President Iliescu attacked Hungary's own policy toward its minorities. Later the Romanian government started a foreign policy campaign in the same month. Meanwhile the Council of Europe formulated and adopted the conditions for membership.<sup>186</sup> The agenda conformed to the conditions of the Recommendation 1201.

Romanian President Iliescu suggested a "historical reconciliation" in the summer of 1995. At the same time he asked the Hungarian government not to see itself as a defender of the ethnic Hungarians in Romania. The Romanian government did not want to place in the basic treaty the 1201 recommendation. It assumed that the minority question could be handled on the basis of human rights, which were "well regulated" in the constitution of Romania. Both sides, the Hungarian and the Romanian governments, assumed that the issue of the regulated minority rights would be a key element of the basic treaty, but they saw it from different directions. While the Hungarian government could not imagine the treaty without the Recommendation 1201, the Romanian government did not imagine the treaty with the cross-reference on the Recommendation 1201.

The Hungarian government's reaction on the Romanian initiatives was moderate. The point of the Hungarians was that the failure in concluding the treaty in one or two

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<sup>186</sup> *Order 508 of the Parliamentary Assembly of the Council of Europe*, 26 April, 1995.

years would not affect the broader political aim of the negotiating sides. The minority issue would find a positive solution in the future, because of the aimed membership in European Union and NATO from both sides. In that case Romania earlier or later would recognize the need to place the Recommendation 1201 in the basic treaty. The negotiations continued, but the positions did not come closer. In 1996, the international community intensified the pressure on the two governments to finish the negotiations on the basic treaty. In January 1996, the OSCE High Commissioner for the Ethnic Minorities, Max van der Stoep, visited the Romanian capital and wanted to reach some progress. In February 1996, Richard Holbrooke mediated between the sides, as a result of which Hungary agreed to leave out the ethnic Hungarian minority representatives in the future talks.

Later two additional factors affected the events: first, the 1996 elections in Romania, and second the clearing position of the NATO about the enlargement. The Hungarian position in this situation appeared that there is no necessity to coordinate the Hungarian and Romanian efforts for joining NATO. The Romanian point stated that a demarcation line between Hungary and Romania would have a negative effect on the security balance in Europe. In spring 1996 Romania agreed to include the Recommendation 1201 in the basic treaty. The treaty was signed on 16 September 1996.

The positive effect of the NATO enlargement process also can be recognized in this process. Because of the foreign policy aim of these countries to be recognized, to improve their internal and outside legitimacy, the international community could force

them to follow the rules and norms, and to undertake commitments according to the European regulation.

The elections in Romania changed the rulers. The new government since 1996 is a coalition, including the ethnic Hungarian party also.

### **3. Relationship between Hungarian minority in Romania and Hungarian government**

The relationship of the Hungarian government and the Democratic Alliance of Hungarians in Romania was very good tempered in the 1990-1994 period. It was based on focusing on the national issue of the Hungarian government and on the similarity of the approaches to political questions of both the parties in the governing coalition in Hungary and the Democratic Alliance of Hungarians in Romania.

The 1994-1998 governing coalition had a less positive relationship to the Democratic Alliance. It was based on two moments: political divergence and a more moderate approach of the relationship with neighbors from the side of the Hungarian government. The socialist-free democrat coalition was blamed for making more efforts on the integration issue than the national issue.

The coalition created after the 1998 elections in Hungary returned to the priorities of the 1990-1994 government. The government officials announced about the change in their attitude toward the national issue. But the situation is different: the basic treaties are signed, the NATO membership for Hungary is already reached, and the party of the Hungarian minority is a member of the governing coalition in Romania. The situation is less conflictual.



#### **D. NATO ENLARGEMENT'S REQUIREMENTS FOR MEMBERSHIP: AN EFFECTIVE TOOL FOR CHANGING BEHAVIORS**

The collapse of the Berlin wall symbolizes the beginning of a new era in the 20<sup>th</sup> century history. The new era often called the post-Cold War period. This is the period when the previous opposition of the West and the East changed its character because of the disappearance of the Communist system - and as a consequence, the Communist threat. This is the period, when the former enemy states of Central and Eastern Europe have been changing their regimes, and have been seeking for a new cooperation with the West and Western institutions. This is the period, when the Western institutions had to rethink their missions and their future.

One of the significant institutions of the West was NATO in the Cold War period. The collapse of the source of former threat caused a great challenge for NATO. NATO had to change. It had to adapt to the new situation. The 1990's history of NATO reflects the dilemmas and the attempts to solve them. The first reaction was a new strategy which preserving the former two priorities (defense and dialogue) added a new element, the cooperation with the former enemy states. The milestones of this new strategy were the NATO's 1991 Rome summit, than the PfP program, later the invitation of three states to join the Alliance. All of these steps are norm setting and norm mediating steps.

The Alliance had to recognize the need for creation a stable basis for further cooperation. The path from a "no longer enemy" approach to a "cooperative partner" seemed to be easier than to the "allied nations" approach. The first was a searching process for a common base; the second was a declaration of requirements. The Alliance faced the dilemma weather the enlargement should base on geo-political approach or on

the community of fundamental values of nations. The last approach led to the need to clarify these fundamental values. The Study on NATO Enlargement (1995) and later the Berlin Declaration (1996) attempted to summarize these fundamental values and requirements for behavior of states as actors in the international arena. As the thesis argued in its second chapter the only effective tool for the minority issues (as parts of human rights) was a political agreement, the Helsinki Final Act (1975) for long time. Its effectivity based upon the fear of losing prestige in an event of exclusion a state from the list of signatures. The NATO "requirement list" had similar effect for the states of Central and Eastern Europe which announced their first political priority to join the "Western Club". It was the first time when a Western institution clearly declared that the gates of the institution are open although the entrance requires checking. Moreover, the accomplishment of the first round of enlargement proved that the requirements could be met. But the price is a desired behavior, results in transition to a market economy based democracy, based on domestic efforts.



## V. CONCLUSIONS

The provided research and analysis showed that the only effective tool for changing behavior of actors of the international political arena in the Central and Eastern European region was the enlargement process of the Western institutions. Membership in European Union and NATO are the desired objective of these nations. Both the EU and NATO are ready to enlarge at the end of the twentieth century. But this readiness is escorted by precaution. The West does not want to import instability from the East; instead, it wants to export stability. The NATO enlargement was the first step which enabled changes in behavior and political practice among the nations of the region. Similar effect can be desired from the EU enlargement in the near future. The efforts of other organizations (such as OSCE, Council of Europe) are less effective.

The standards setting process for the protecting of the national minorities is complicated with the non-clear definitions of the issue. This is based on cultural and ideological differences of the big number of the participating states. Compromising between the interests require very skilled mediators and great political willingness. The existing international agreements are not effective (enough) tools for protecting minorities. A policy which is seeking for effective tools has to initiate making these tools effective, but also has to find other tools, substituting the previously mentioned ones. The "entrance checking list" of the NATO is one of those tools. Bilateral and regional treaties also can serve as examples of effective tools because they are legally binding documents

with an opportunity of monitoring.

Hungary's invitation to join NATO and the EU should not have a harmful effect on Hungarian minority policy. On one hand it is result of the Hungarian domestic efforts to handle the minority question within its state borders. On the other hand it is recognition of the Hungarian activities at different international levels, at the multilateral level of international organizations, at the bilateral level regarding to neighbor relations.

Hungary's internal legal system is one of the most progressive in Europe regarding minority protections. The recognition of the individual and collective rights if the minority communities and their members, as well as the concept of self-government of these minority communities, the state running and financing minority educational and cultural institutions, the system of positive discrimination (affirmative actions) are characterizing this legal basis. The seriousness of the government's intentions is highlighted by the existence of Government Office of National and Ethnic Minorities.

Hungary is one of the most active member of the international organizations with its initiations for creation an effective multilateral regime for protecting minorities. Hungary is one of the frontrunners in signing and ratifying international declarations and agreements regarding minority issues. It is also a frontrunner in harmonization of its internal legal frames with international requirements. Hungary shows a followable example with these activities. Hungary also has balanced relations with its neighbors. The signed bilateral agreements are transforming the declarative legal norms to legally binding standards regarding to minority protection.

Hungarian policy received encouragement from the international community. In 1999 Hungary is recognized as one of the frontrunners among the new democracies. The foreign policy success is based on internal policy, on the success in regime change. This success is not only an opportunity but also a great responsibility. Western nations will examine the new members' performance both in the EU and NATO. The advantages can be used to benefit the people of these states. A poor performance could cause a slow down in further expansions.

The thesis demonstrated that ethnic minorities are results of nation state concept. The drawn state borders usually reflected power positions and did not follow the ethnic lines. Different nation concepts are existing what makes more difficult to handle the minority question. One of the concepts equals nation with the group of citizens. In this approach the minority issue is a part of the universal human rights. This approach fails to handle the national minority issue. Another approach – what is called by the followers of the previous approach primordial – is defines nation based on kinship, ethnicity, language, culture, etc. For this approach the national minority issue is easy reachable. The norm setting process for the minority protection shows the battle among these approaches. The fails in norm setting process slow down the implementation process.

The democratization process of the Central European region broke up on the surface ethnic tensions. The freedom of expression and the principles of self organization and self ruling encouraged people's activities to create communities based on their common interests, based on common identity. Competition of different interests makes the majorities suspicious toward minorities, which can lead to a limitation of their rights.

The international community must create norms and standards as well as effective tools for the protection of minorities because aggression and abuses are treating the whole value system of democracy.

Membership in the European institutions is a desired objective of the states of transforming Central European region. These institutions and organizations build up on democratic value system. Require the "newcomers" to follow these principles is one of the methods for defend these values. The legacy to enjoy the "Western club" is based up on norm following behavior. Requirements are also effective instruments for lessening tensions based on national, ethnic, race or religious differences. Invitation of new democracies requires a previous monitoring and checking process regarding to standards of Western democracies. Membership is recognition of state's efforts in field of establishing norm and value system, and pursuing a practice in this regard.

Gradual enlargement of NATO and European Union can have an additional positive effect on the stability of the region beside a treat of destabilization. As a positive effect the step by step approach rewards the better performance and initiatives the poorer performers to do better. As a negative effect it draws dividing lines, and makes differences more significant. It also changes the relative position of neighboring states in their competition. Generosity of the states already got the membership should base on norms they already performed better, on the interest to have neighbors following the same norms and standards, as well as on sharing value system. The current practice (in 1999) shows a close cooperation between Hungary and Slovakia, as well as between Hungary and Romania in field of preparation to join NATO and the European Union. Hungary

shares its experience to demonstrate a more effective image of these states based on internal performance. For Hungary is much more beneficial to help these states in their process of norm establishment and practice to follow them than treat these states with the opportunity to oppose of the membership in case of specific issues as the ethnic Hungarian minorities in those states. The objective of the Hungarian government should aim better wellbeing of the Hungarians beyond the borders instead of punishing its neighbors.

The very lucky composition of the (common) interests should result a historical change in the inter-government relationship of Hungary and its two neighbors, Slovakia and Romania. In addition the inter-state interest of those states should lead to a change of behaviors between the host nations and their Hungarian minorities.

The NATO enlargement exported stability: it made a closer cooperation between Hungary and its neighbors. It appears a first step to eliminate, to lessen the meanings of the state borders separating Hungary and Slovakia, as well Hungary and Romania, and dividing the Hungarian nation. This is an unquestionable positive effect on the Hungarians and ethnic Hungarians as well as on their communities.





## APPENDIX A: FIGURES

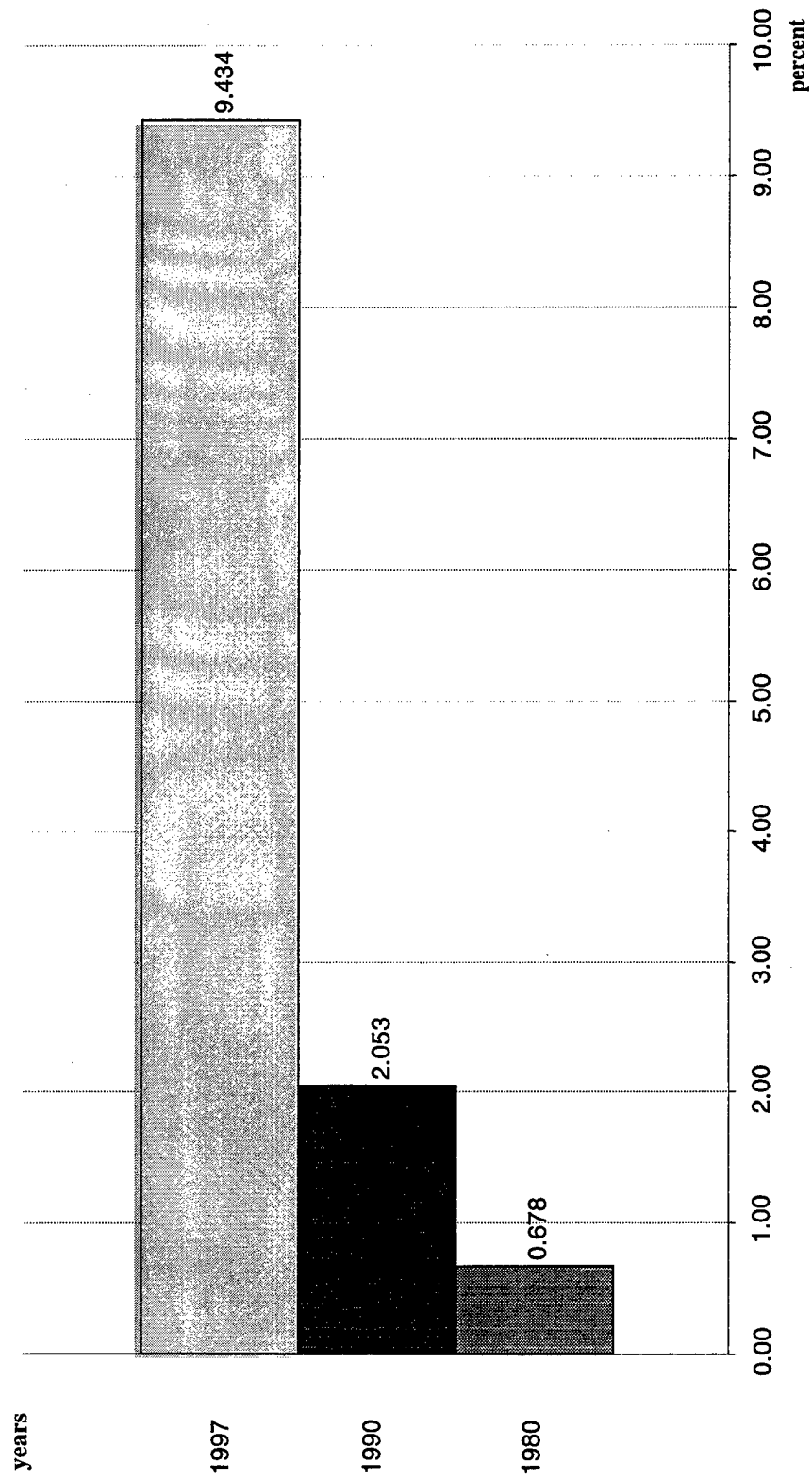


Figure 1: Minorities in Hungary (as a percent of the population)

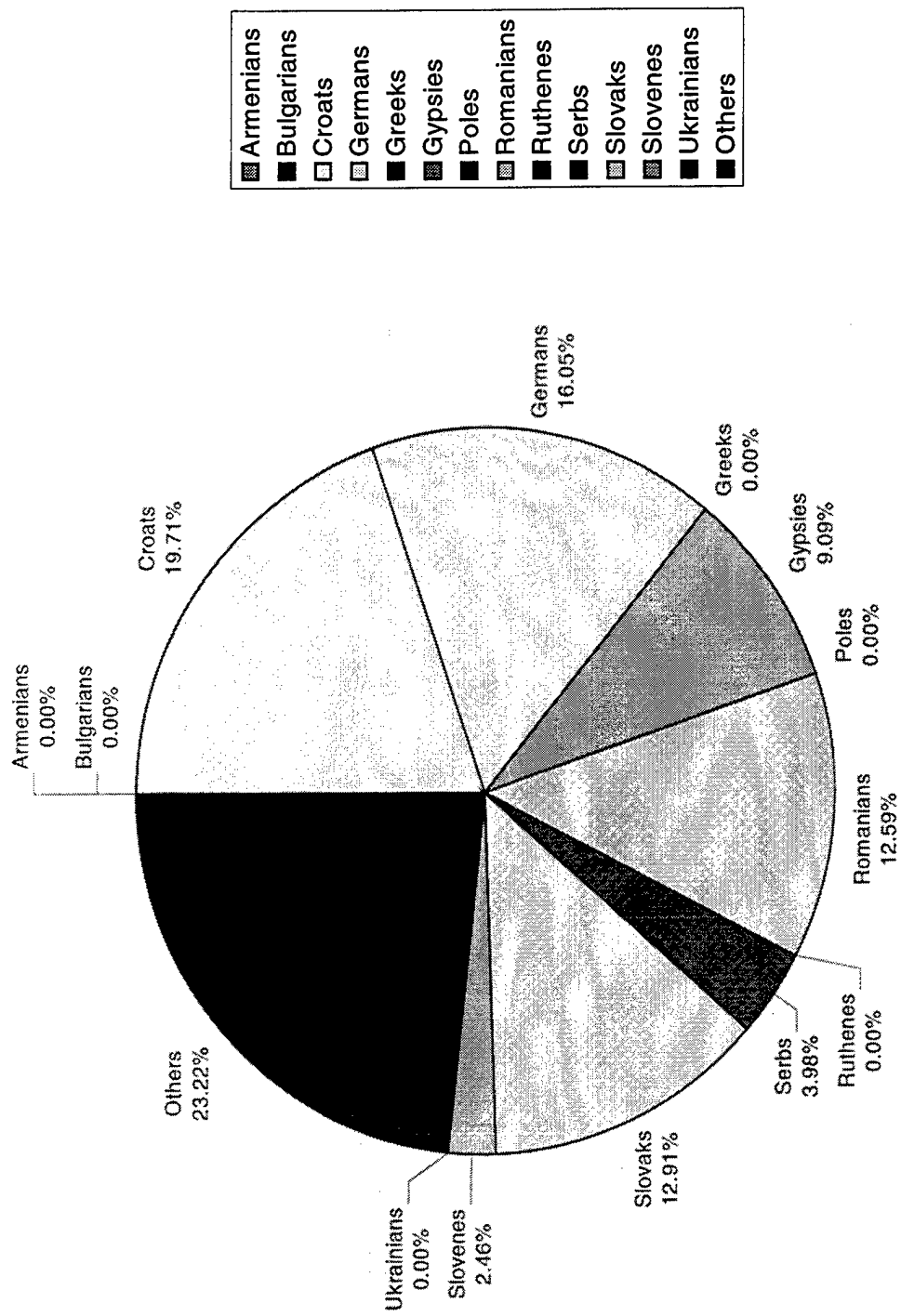


Figure 2: Minorities in Hungary (1980 census)

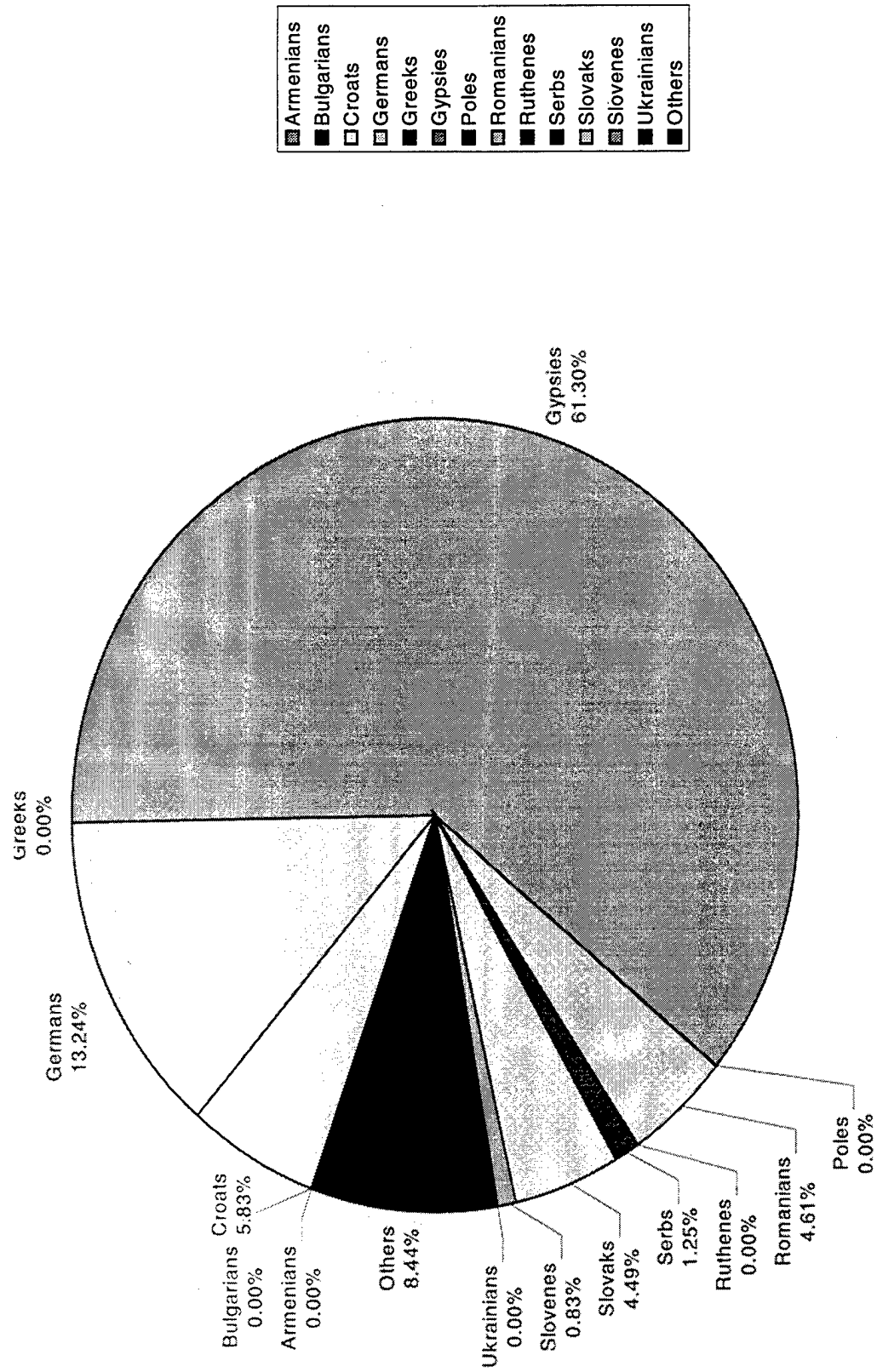


Figure 3: Minorities in Hungary (1990 census)

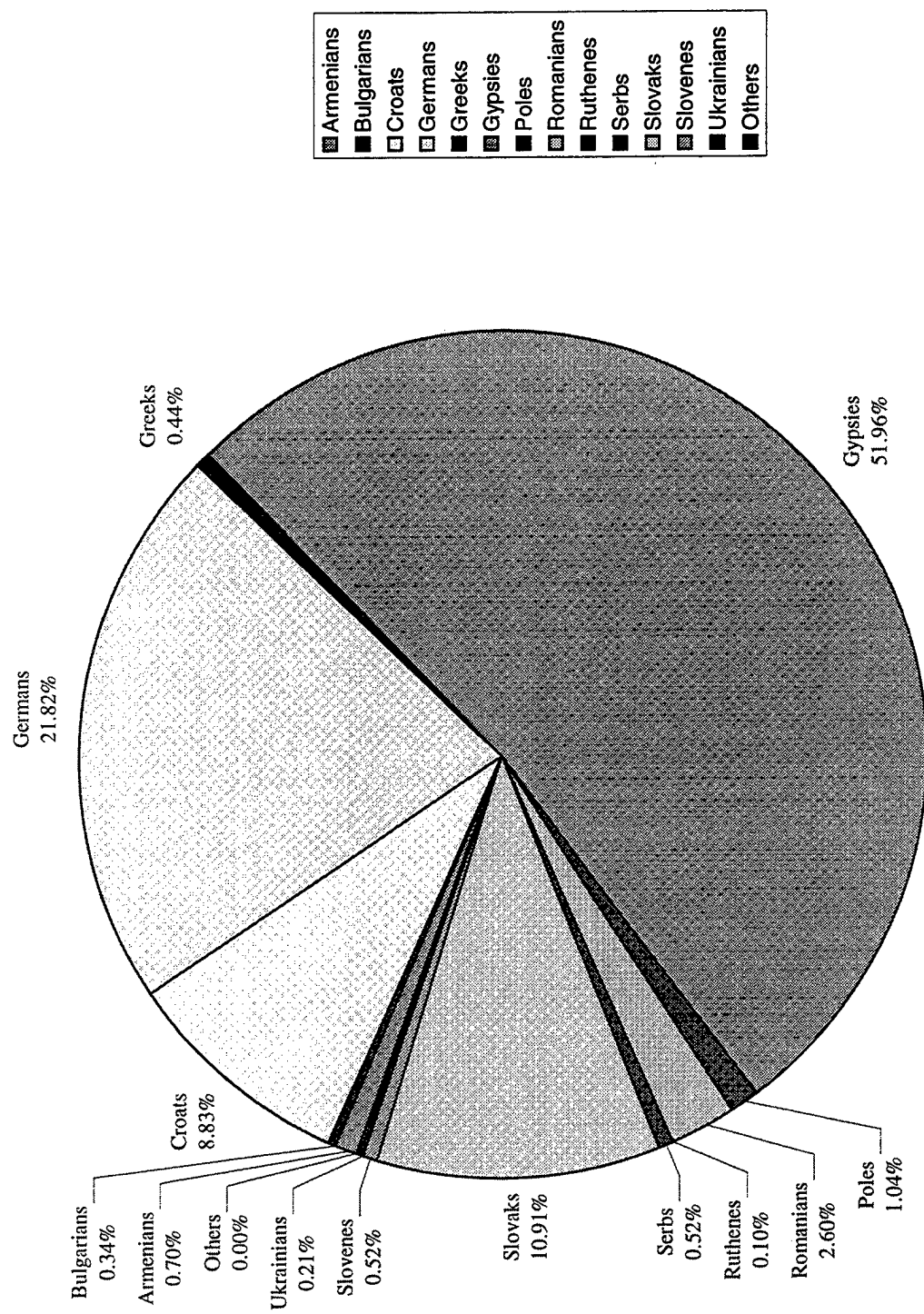


Figure 4: 1997 average value of the estimations by the minority organizations (percentage within the minorities)

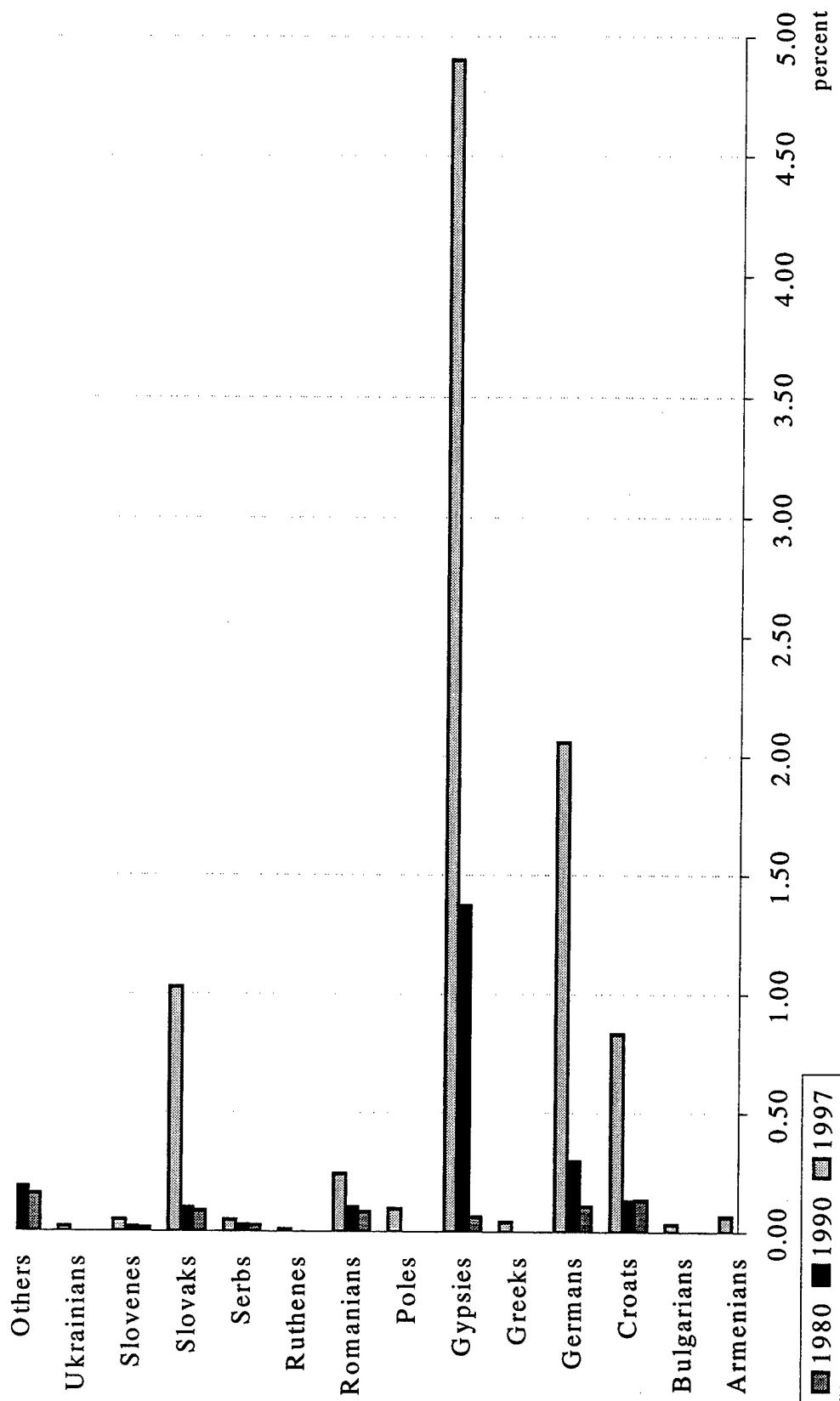


Figure 5: Comparative structure of the minorities in Hungary



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